

政府總部
民政事務局

香港添馬添美道二號
政府總部西翼十二樓



**GOVERNMENT SECRETARIAT
HOME AFFAIRS BUREAU**

12TH FLOOR, WEST WING,
CENTRAL GOVERNMENT OFFICES,
2 TIM MEI AVENUE,
TAMAR,
HONG KONG.

Tel : 3509 8118

Fax : 2591 6002

4 March 2015

Ms Alice LEUNG
Clerk to Panel on Home Affairs
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Leung,

**Panel on Home Affairs
Letter from the Dr Hon Kenneth CHAN Ka-lok
on the operation of the Hong Kong Army Cadets Association Limited**

Thank you for your letter dated 3 February 2015.

In the LegCo sitting on 4 February, the Secretary for Home Affairs (SHA) responded to the oral question raised by Hon Ip Kin-yuen and the follow-up questions raised by other LegCo members. SHA pointed out at the meeting that Uniformed Groups (UGs) have a long history in Hong Kong and they have been taking up the role as agents for organising youth activities. UGs provide various kinds of group activities outside classrooms to help enhance the youth's confidence, discipline and leadership skills; train up their physical fitness, as well as offering opportunities for participating in voluntary community service and overseas exchange activities to widen their horizons and build up positive values. The Hong Kong Army Cadets Association is a newly-established uniformed group pioneered by a group of passionate members in the community. The Government did not take part in its formation or participate in its operation; nor does the Government provide any financial support or co-organise any activity with it.

Attached please find the Hansard of the meeting on 4 February for your reference. Please feel free to contact the undersigned at 3509 7118 if you have further queries.

Yours sincerely,

A handwritten signature in blue ink that reads "Vincent Fung". The signature is written in a cursive style with a large, stylized initial 'V' and 'F'.

(Vincent Fung)
for Secretary for Home Affairs

Since 2004, the TWG has held more than 40 meetings and the related issues have been discussed over and over again. The short-, medium- and long-term measures proposed at these meetings cannot be implemented within two or three years because many of them require co-ordination, and overall planning and collaboration is also required.

In any case, the Government is considering the specific proposals submitted by the AA. The highlights include, first, the impact of the third runway on the environment; the AA has completed the related environmental assessment procedures; second, financing arrangements; third, issues related to airspace and other related issues. The Government will carefully consider these issues and it will not implement the plan for the third runway with eyes closed.

I understand that many Members are concerned about airspace issues, and as Secretary for transport and Housing, I am even more concerned about this issue. Many people are concerned about Shenzhen but I hope they would also be concerned about Hong Kong.

DEPUTY PRESIDENT (in Cantonese): Fourth question.

Involvement of Hong Kong Garrison of People's Liberation Army in Training of Local Youngsters

4. **MR IP KIN-YUEN** (in Cantonese): *Deputy President, it has been reported that on the 18th of last month, a new uniformed group known as the Hong Kong Army Cadets Association (HKACA) held its founding ceremony at Ngong Shuen Chau Barracks of the Hong Kong Garrison of the People's Liberation Army (HK Garrison). The Chief Executive, the Director of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region and the commander of the HK Garrison serve as HKACA's honorary patrons, while a number of Directors and Secretaries of Bureaux are its honorary advisers. It has also been reported that the HK Garrison will assist in training HKACA's members. Besides, a community organization has been organizing the Military Summer Camp for Hong Kong Youth jointly with the HK Garrison and the Education Bureau each year since 2005. In this connection, will the Government inform this Council:*

- (1) *of the role of the Government in HKACA, and whether it will participate in the operation of, provide financial support for or organize activities jointly with HKACA; if it will, of the details;*
- (2) *whether it has studied and assessed if the HK Garrison's assistance to local uniformed groups in training the youth, including providing training on live-ammunition shooting, weapon disassembly and assembly, military boxing and military knowledge, etc., in military training camps, is in contravention of Article 14 of the Basic Law, which provides that the HK Garrison shall not interfere in the local affairs of Hong Kong, and any provision of the Public Order Ordinance; if the study and assessment outcome is in the affirmative, of the details; if the study and assessment outcome is in the negative, the justifications for that; and*
- (3) *whether it knows the role of the HK Garrison in HKACA, and whether the HK Garrison will participate in the operation of, provide financial support for or organize activities jointly with HKACA; if the HK Garrison will, of the details; as there are comments that in the past, the HK Garrison used to maintain a low-profile presence in Hong Kong and was rarely involved in Hong Kong's local affairs, whether the Government has approached the mainland authorities to gain an understanding of whether the HK Garrison has changed its low-profile approach recently to become actively involved in Hong Kong's local affairs by assisting in training HKACA's members?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): I thank Mr IP for his question. Deputy President, uniformed Groups (UGs) have a long history in Hong Kong and they have been taking up the role as agents for organizing youth activities. The Home Affairs Bureau currently provides recurrent subvention for 11 UGs to support their work in youth development. The Home Affairs Bureau-subsidized UGs include The Scout Association of Hong Kong; the Hong Kong Adventure Corps; the Boys' Brigade, Hong Kong; and so on, consisting of over 130 000 youth participants. There are also UGs not subsidized by the Home Affairs Bureau, for example, the Auxiliary Medical Service of Hong Kong, the Civil Aid Service, and so on. Any UG that is set up by the public may operate on its own so long as they register in accordance with relevant requirements and abide by the laws of Hong Kong.

UGs provide various kinds of group activities outside the classrooms to help enhance the youth's confidence, discipline and leadership skills; train up their physical fitness, as well as offering opportunities for participating in voluntary community service and overseas exchange activities to widen their horizons and build up positive values. The Chief Executive announced in his 2014 Policy Address that the recurrent subvention to UGs would be doubled. UGs can make use of the funding to provide more diversified training, enhance their corporate governance, strengthen their training to the voluntary leaders, and so on, so as to raise the quality of their youth service continually. We also encourage all UGs to strengthen their recruitment so that more youths can participate in their activities.

To help needy students who are interested in joining UGs, the Home Affairs Bureau has set up the Assistance Scheme for Needy Student Members, under which additional assistance is provided to UG members who are Primary One to Secondary Six students for buying uniforms and accessories as well as participating in training activities.

The newly-established Hong Kong Army Cadets Association (HKACA), which was set up last month, is pioneered by a group of passionate members in the community. As we understand, the HKACA is going to leverage on the past activities of the Military Summer Camp for Hong Kong Youth as the basis to provide regular training to promote spirit of unity, discipline and stamina among youth, so that they can be equipped to contribute to the development of Hong Kong and our country.

We welcome the establishment of this new UG and wish that it would work on its corporate governance and improve its transparency, similar to what other UGs are doing, so that the community can have a better understanding of the organization and avoid unnecessary speculations and concerns.

The answers to the three parts of the question raised by Mr IP are as follows:

- (1) The HKACA is an organization that has just announced its establishment. The Government did not take part in its formation or provide any financial support; nor does the Government participate in its operation or co-organize with it any activities. The

Home Affairs Bureau has not received any funding application from the organization. If we receive such an application in future, we will consider it thoroughly in accordance with our established criteria.

- (2) ever since the Reunification over 17 years ago, the Hong Kong Garrison of the People's Liberation Army (HK Garrison) in Hong Kong has been performing defence functions in Hong Kong in strict accordance with the Basic Law, the Garrison Law and other relevant ordinances. The HK Garrison does not interfere in the local affairs of the Hong Kong Special Administrative Region.

The HK Garrison has been putting a lot of emphases on building up its military strength and performing its defence functions, which contribute greatly to the maintenance of the long term economic prosperity and stability of Hong Kong. At the same time, the HK Garrison has been enthusiastic in participating in various kinds of charitable work in Hong Kong and communicating with local residents. For example, the HK Garrison organized many military camp open days that allowed over 500 000 citizens to visit the camps and various types of light and heavy weapons; the HK Garrison planted over 70 000 trees through joining the Hong Kong Tree-planting Day; over 6 400 officers and soldiers donated blood to Hong Kong residents; the military marching band and artistic team have been popular and were from time to time invited to perform to local residents; the HK Garrison also organized many visits to the aged and the young ones. Throughout these years, the HK Garrison has organized 10 Military Summer Camp for Hong Kong Youth and helped train up many participants.

The HK Garrison has built up an outstanding image and gained the recognition, trust and praise from the residents. We have never heard of any case of the HK Garrison violating the Basic Law and other relevant laws.

As for the newly-established HKACA, it is set up in accordance with the law. According to its Articles of Association, there is no mention of issues such as live-ammunition shooting as raised in the question.

- (3) The HKACA is an autonomous civil organization and has no subordinating relationship with the HK Garrison. The HK Garrison did not participate in the establishment of the HKACA, and will not participate in its operation or provide any financial support.

The HK Garrison performs its duty and responsibilities in accordance with the law and this principle will remain unchanged. The discussion on the so-called "low-profile", "high-profile" presence is only the comment made by some third parties, rather than an approach that the HK Garrison adopts deliberately. On 29 June 2012, the day before Hong Kong celebrating its 15th Anniversary of Reunification, the HK Garrison was inspected by Mr HU Jintao, the then Chinese President and Chairman of the Central Military Commission, at the Shek Kong barracks. The troops inspected were in 15 formations with more than 3 000 officers and soldiers from the army, navy and the air force; the maneuverable missiles and other equipment were also on display. A number of well-known community leaders in Hong Kong and the past participants of Military Summer Camp for Hong Kong Youth and the tertiary military camp also attended the ceremony. The inspection was widely reported by the media and drew much attention both locally and overseas. This has obviously nothing to do with a "low-profile" or "high-profile" presence.

The HK Garrison embodies the autonomy of our country. On 1 July 1997, the HK Garrison marched in on time and stationed in the designated positions. Since then, HK Garrison's role, function and principle, as well as their direction have remained the same. We should all support the work of the HK Garrison.

MR IP KIN-YUEN (in Cantonese): *Deputy President, the main concern of my question is whether the HK Garrison has strictly complied with the existing law and system, including the Basic Law, and I would like to follow up the issue of military training. In the main reply, the Secretary states that in the Articles of Association of Hong Kong Army Cadets Association (HKACA), there is no mention of issues such as live-ammunition shooting as raised in the main question. And yet, as the Secretary has said in the main reply, the HKACA is going to leverage on the past activities of the Military Summer Camp for Hong Kong Youth (Military Summer Camp) as the basis to provide regular training. Hence, we must find out the kind of training provided in the summer camps.*

There is clear description on the Internet and according to the information on the website, the Military Summer Camp for Hong Kong Youth mainly provides military training, including foot drills, military boxing, weapon disassembly and assembly and live-ammunition shooting.

If the establishment of the HKACA is to intended to turn the training on the aforesaid skills into a kind of regular training, will live-ammunition shooting, military boxing, weapon disassembly and assembly that are not mentioned in its Articles of Association actually become part of the training in the future? If this is really the case and the training is to be conducted by the HK Garrison, will there be any contravention of the relevant provisions of the Public Order Ordinance, or the Basic Law provisions on the role of the HK Garrison?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, as I have stated in the main reply, the Military Summer Camp has been held 10 times in a row over the years, and I myself also attended some of the passing-out ceremonies. The Military Summer Camp mainly seeks to cultivate the discipline of young people and provide them with moral education, in addition to enhancing their self-management ability and confidence. The Military Summer camp does not offer any training of a military nature, and its training activities concentrate wholly on young people's ethics and values. We have never heard of any contraventions of the law in connection with the 10 camps held in the past.

MR IP KIN-YUEN (in Cantonese): *Deputy President, just now the Secretary said that the Military Summer Camp seeks to ...*

DEPUTY PRESIDENT (in Cantonese): You only need to point out the part of the supplementary question that the Secretary has not answered.

MR IP KIN-YUEN (in Cantonese): *I am actually about to make my point. The Secretary says that the aforesaid training activities are not the main contents of the Military Summer Camp. But in reality, they are the main contents. In that case, is there any contravention of the relevant laws?*

DEPUTY PRESIDENT (in Cantonese): Mr IP, you have pointed out the part that has not been answered. Secretary, do you have anything to add?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, let me reiterate that we have never heard of or received any news about contraventions of the law in the Military Summer Camp.

MR CHRISTOPHER CHEUNG (in Cantonese): *Deputy President, the HKACA has aroused widespread concern since its establishment on 18 January. But since its aim is to enhance young people's confidence and discipline by teaching them Chinese-style foot drills, I fail to see how the provision of assistance by the HK Garrison will clash with the Basic Law. Rather, I am interested to ask the Secretary when the HKACA will recruit new members and what the requirements are. For example, is there any weight restriction?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, I thank Mr CHEUNG for its supplementary question. Although I was invited by the HKACA to be its honorary adviser, I will only give advice upon its request. I therefore do not have the slightest idea about the actual operation of the HKACA, including its future recruitment, recruitment targets and weight restriction. Thus, all enquiries should be directed to the HKACA.

MR CHAN CHI-CHUEN (in Cantonese): *The Secretary has pointed out in part (3) of the main reply that the HKACA has no subordinating relationship with the HK Garrison, that the HK Garrison did not participate in the establishment of the HKACA, and that the Hong Kong Garrison will not participate in its future operation or provide any financial support. In that case, financial support aside, will material and manpower support also be excluded? Under Article 14 of the Basic Law, the HK Garrison is only responsible for the defence of Hong Kong. The main reply mentions a troops inspection and open days as examples of the work done by the HK Garrison — I can treat them as an armaments exhibition and military music performances. It also mentions certain charity work, such as tree planting, blood donation and visits. My supplementary concerns the kinds of activities that are permitted and prohibited. Is the*

provision of military training a kind of defence work? If military training is treated as charity work, then what kind of activities are prohibited? If everything can be included in this scope, what is the use of Article 14 of the Basic Law?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, the HK Garrison has provided training for youths for many years, and Hong Kong residents have never voiced any opposition. As a matter of fact, such activities have been well-received by young participants and their parents. Such activities are clearly not any form of military training but just ordinary training. As far as my understanding goes, these are all charity work, and they have been going on all the time .

DEPUTY PRESIDENT (in Cantonese): Mr CHAN, has any part of your supplementary question not been answered?

MR CHAN CHI-CHUEN (in Cantonese): *My supplementary question is: financial support aside, is the Secretary aware that the HK Garrison has provided any material and manpower support to the HKACA?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, I think the HK Garrison should deserve our welcome if its aim is to carry on the work of the Military Summer Camp in the past and continue to provide training to young people.

DR KENNETH CHAN (in Cantonese): *Since the Secretary is an honorary adviser of the HKACA, and SAR Government officials from the Chief Executive to the Secretaries of Department and Directors of Bureaux are either its patrons or advisers, the Secretary will definitely find it difficult to detach himself when making a reply.*

Nonetheless, I still want to ask the Secretary if he and other government officials have ever studied Article 17 of the Garrison Law, which clearly states, "Members of the Hong Kong Garrison shall not join any political organizations,

religious organizations and public organizations of Hong Kong." One of the personages who are patrons of the HKACA is TAN Benhong, who takes part as a member of the HK Garrison. Does the Secretary think this is in contravention of the Garrison Law?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, this is not in contravention of the Garrison Law. Commander TAN was invited by the HKACA to serve as an honorary patron. The role of an honorary adviser is as the title suggests, and he has accepted the post to show his recognition of the work and direction of youth training. The Articles of Association of the HKACA does not set out a role for honorary patrons in its actual operation.

DEPUTY PRESIDENT (in Cantonese): Mr CHAN, which part of your supplementary question has not been answered?

DR KENNETH CHAN (in Cantonese): *Deputy President, is the sudden emergence and disappearance of honorary patrons due to the public attention drawn to Article 17 of the Garrison Law? Is this the reason for the disappearance of all honorary patrons from the Articles of Association of the HKACA?*

DEPUTY PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, as we all know, all associations are required to register under the laws of Hong Kong, and the time from drafting the articles of association to actual operation is very long. As a matter of fact, the HK Garrison has no role to play under the Articles of Association of the HKACA. Hence, the question of honorary patrons suddenly emerging and disappearing simply does not exist.

DR KWOK KA-KI (in Cantonese): *Deputy President, the Secretary mentions in the main reply that 130 000 people have joined the UGs in Hong Kong, implying that there is nothing special about all this. However, as we all know, the HKACA is no ordinary UG. Rather, it is nicknamed "The Lobster's Regiment"*

because it is composed of top government officials and the commander of the HK Garrison, who are all no ordinary people. Interestingly, the HKACA was set up after a number of Beijing "big shots", including CHEN Zuoer, had strongly criticized Hong Kong for doing badly in brainwashing and condemned Secretary for Education Eddie NG for not doing his best to brainwash students. Secretary, be honest, is the HKACA given the heavy national responsibility of continuing to brainwash young people? And, must the HKACA work hand in hand with the Communist Youth League and the Young Pioneers when performing this brainwashing task?

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, as I am aware, the formation of the HKACA has nothing to do with the remarks made by CHEN Zuoer.

DEPUTY PRESIDENT (in Cantonese): Has your supplementary question not been answered?

DR KWOK KA-KI (in Cantonese): *Deputy President, just now I only asked whether this was a brainwashing project, and I did not say there was any direct relationship. Once CHEN Zuoer uttered his words, many people would automatically take his order. He did not need to get personally involved. Secretary, did you pitch in?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, the establishment of the HKACA was not due to the order of CHEN Zuoer or any person. Just as I say in the main reply, the HKACA was formed and founded by some passionate members in the community on their own initiative. The best way to guard against brainwashing is to stand firm on Hong Kong's position as an open society, safeguard the free flow of news and information and teach local youths how to tell right from wrong, that is, to investigate things to enrich their knowledge. I do not think local youths will still be brainwashed under these circumstances.

MR NG LEUNG-SING (in Cantonese): *Speaking of the provision of military training by the HK Garrison, I think that in Hong Kong, no other organization or group can be more professional and suitable than it. Since the activity is so*

well-received by parents and members of the public, and the last part of the main question asks if the HK Garrison has recently changed its approach and started to involve itself actively in Hong Kong's local affairs by assisting in training HKACA members, may I ask the Secretary how he looks at this issue? Since the provision of professional training requires the participation of professional teams, why should anyone put on any "glasses tainted by politics" and make such non-professional comment? Are such comments appropriate?

(Dr KWOK Ka-ki stood up)

DEPUTY PRESIDENT (in Cantonese): Dr KWOK, what is your question?

DR KWOK KA-KI (in Cantonese): *Deputy President, I notice that the voice of Mr NG Leung-sing is hoarse and I remember Mr TAM Yiu-chung's reminder on wearing a mask. I just want to offer him a piece of advice.*

DEPUTY PRESIDENT (in Cantonese): Yours is not a point of order. Please be seated. Secretary, please reply.

SECRETARY FOR HOME AFFAIRS (in Cantonese): Deputy President, as in the case of UGs in general, the main purpose of setting up the HKACA is to provide training to young people. As Mr NG has said, we should not look at the issue with any bias or politicize the issue.

DEPUTY PRESIDENT (in Cantonese): Fifth oral question.

Provision of New Public Markets and Retrofitting of Air-conditioning Systems in Existing Public Markets

5. **DR ELIZABETH QUAT** (in Cantonese): *Quite a number of residents in newly developed districts, such as Tseung Kwan O, Tin Shui Wai and Tung Chung, have relayed to me that the districts in which they live lack public*