

立法會

Legislative Council

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Report of the Panel on Home Affairs for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Home Affairs ("the Panel") during the 2014-2015 Legislative Council session. It will be tabled at the Council meeting of 24 June 2015 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to district, community and rural matters, civic education, building management, youth matters, the provision of leisure and cultural services, the development of arts and culture, public entertainment, sport and recreation. The terms of reference of the Panel are in **Appendix I**.
3. The Panel comprises 21 members, with Hon Starry LEE Wai-king and Hon YIU Si-wing elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

District and community matters

Proposed projects under the Signature Project Scheme

4. The Panel continued to follow up on the progress of the Signature Project Scheme ("SPS"). The Panel discussed a total of 17 project proposals under the \$100 million SPS submitted by 11 District Councils ("DCs"), including Sham Shui Po DC, Central and Western DC, Islands DC, North DC, Wong Tai Sin DC,

Tsuen Wan DC, Sha Tin DC, Kwun Tong DC, Yau Tsim Mong DC, Tuen Mun DC and Yuen Long DC. Noting that the Administration planned to submit remaining SPS proposals in batches for the Panel's consideration between the 2nd quarter of 2015 and the 1st quarter of 2016 and the next DC election would be held on November 2015, members were concerned that consensus among DC members on some SPS projects might be affected when the new term of DCs commenced in January 2016. Members urged the Administration to expedite the submission of the remaining SPS projects to the Panel for consideration. Some members also called on the Administration to consider increasing the resources to DCs to facilitate their implementation of large scale and sustainable SPS projects when it reviewed the way forward for SPS. According to the Administration, all the 18 DCs had agreed on their proposals. The Home Affairs Department ("HAD") and respective District Offices were working closely with DCs, relevant government bureaux and departments and where applicable, partner organization(s) in taking forward these projects, including examining their technical feasibility, before seeking the Panel's views and the Finance Committee ("FC")'s funding approval. To expedite the process, the SPS proposals would be submitted to the Panel in batches for consideration as soon as the necessary procedures were completed.

Review of the honorarium arrangement for DC members

5. Members in general supported the Administration's proposals to, with effect from 1 January 2016, increase the honorarium for DC members by 15% and provide each DC member with a new provision of \$10,000 per term to finance DC members' duty visits. Members, however, reiterated their concern about the rapid increase in rental for DC members' ward offices and other operating expenses, and urged the Administration to further increase the rate of the accountable Operating Expenses Reimbursement ("OER") for DC members. The Administration was also urged to consider providing DC members with a further provision to cover the end-of-service gratuity or severance pay given to their assistants.

6. According to the Administration, it had taken into account the rapid increase in rental for ward offices in its last review of the expense reimbursement arrangements for DC members. The 34% increase in the rate of OER was intended to address the concerns of DC members relating to increased operating expenses, in particular the rising rental of ward offices. At present, an accountable Winding-up Expenses Reimbursement at \$72,000 per DC term was provided to cover expenses required to wind up a ward office. The provision could be used for paying severance pay to DC members' assistants engaged with OER.

7. Some members pointed out that starting from 1 January 2014, the Government had enhanced the remuneration package for DC members, including increasing the entitlement of the accountable Setting-up Expenses Reimbursement ("SER") from \$50,000 to \$100,000 for re-elected or re-appointed members who had claimed SER in the previous terms but had relocated ward offices. These members considered that further improvements should be made to the rate of entitlement of the accountable SER for a re-elected/re-appointed DC member who had claimed SER in a previous term but had not changed the location of his ward office in the current term. The Administration advised that after 1 January 2014, re-elected or re-appointed DC members who had not relocated ward offices would continue to be entitled to SER of up to \$50,000.

Pilot Scheme on Enhancement of District Administration Through District Management Committees in Sham Shui Po and Yuen Long

8. The Panel was briefed on the progress of the pilot scheme to enhance the District Administration Scheme through District Management Committees ("the pilot scheme") in Sham Shui Po ("SSP") and Yuen Long ("YL"). Members were advised that the Government introduced the pilot scheme in SSP and YL in 2014 to provide the relevant District Management Committees with additional manpower and funding as well as decision-making power to tackle the long-standing district problems. Some members considered that initiatives/programmes that had been proven successful and effective in tackling specific district issues under the pilot scheme should eventually become a policy that should be implemented across the territory. Noting that the pilot scheme would be completed in August 2015, members urged the Administration to consider conducting a comprehensive review of the pilot scheme, including the level of financial and manpower support as well as the necessary legislation required to facilitate the full implementation of the scheme in all 18 districts.

9. The Administration advised that the pilot scheme implemented in SSP and YL had achieved positive outcomes, and was generally welcomed by DC members and districts. The Government had provided a one-off allocation of \$5 million, including provision for the employment of non-civil service contract staff, to each of the two districts to implement the pilot scheme. HAD would closely monitor the progress and conduct an overall review upon completion of the pilot scheme in August 2015, with a view to ascertaining its cost-effectiveness and making a recommendation on the way forward.

Outcome of the public consultation on the enhanced measures against shop front extensions

10. When receiving a briefing on the outcome of the public consultation

exercise on the enhanced measures against shop front extensions ("SFEs"), members expressed diverse views on the proposed introduction of a fixed penalty system. While some members expressed support to the proposed fixed penalty system as an additional enforcement tool to achieve greater deterrent effect against SFEs, some other members were not supportive of the proposal given its impacts on the livelihood of some businesses and their employees, particularly those in the catering and retailing trades.

11. On the proposed penalty level at \$1,500, some members suggested that the penalty level should be increased progressively for repeated SFE offences to achieve a higher deterrent effect. Some other members, however, considered it appropriate to set the level of fixed penalty for first offence at \$1,500 and that fixed penalty tickets should be issued repeatedly to offenders who failed to rectify the SFE problem within a reasonable period of time. There was also a suggestion that a tiered penalty system should be adopted to impose heavier penalties on SFE offences committed by large consortia/establishments.

12. The Administration acknowledged that it was important to strike a balance between strengthening enforcement and giving due regard to the livelihood of businesses and employees concerned. According to the Administration, the enforcement departments would formulate clear guidelines setting out the circumstances under which the proposed fixed penalty system or other enforcement tools should be adopted. The proposed fixed penalty system was intended to be an additional measure for tackling SFEs and it would not replace the existing enforcement tools including taking prosecution by way of issuing summonses under section 4A of the Summary Offences Ordinance (Cap. 228). As regards the suggestion of imposing a heavier penalty for repeated offences, it would be considered as part of the enforcement strategies by relevant departments.

13. As regards the Administration's proposal that subject to certain requirements, SFEs within the agreed level of extension might either be assigned lower enforcement priorities or tolerated, members considered it important for the Administration to make clear to the public which SFEs might be/had been assigned lower priorities of enforcement or even tolerated and how a tolerance level for SFEs would be set. The Administration advised that in determining the enforcement priorities, SFEs that posed imminent danger to pedestrians and traffic should generally be assigned a higher priority; while others might be assigned lower priorities or tolerated, subject to the conditions that the SFEs concerned did not cause any imminent danger to pedestrians and traffic and that the shop operators could exercise self-discipline by adhering to the level of extension agreed with the relevant enforcement departments. To facilitate members of the public to understand the situation, the Administration would consider uploading the relevant information onto its website.

Development of arts and culture

Construction of the East Kowloon Cultural Centre

14. While supporting the Administration's proposal to construct the East Kowloon Cultural Centre ("EKCC") in Ngau Tau Kok, members were concerned about how the commissioning of EKCC would help ease the acute shortage of performing arts facilities in Hong Kong. Members also expressed concerns about the positioning of EKCC and its interface with other performing arts facilities, in particular those being planned in the West Kowloon Cultural District ("WKCD"). According to the Administration, EKCC could help alleviate the acute shortage of performing arts facilities in the East Kowloon region and Hong Kong at large. EKCC would complement the new performing arts facilities being planned in WKCD. While WKCD would provide a cluster of world-class arts and cultural facilities and become a hub for overseas visitors commensurate with Hong Kong's status as a metropolis, EKCC was intended to be a cross-district cultural venue to serve local communities and Hong Kong's arts groups.

15. Noting that the estimated cost of the project was about \$3,998 million in money-of-the-day prices, members were concerned whether the estimate was sufficient to allow for cost variation due to inflation and escalating construction cost. Concern was also raised about the future financing arrangement for the EKCC project. According to the Administration, the estimate had already taken into account the funding requirement for providing the various facilities planned for EKCC, as well as adequate provisions for contingencies and price fluctuation due to inflation by drawing reference to the trend in recent tender prices. A provision of about 25% to 26% of the estimated cost of the project was included in the estimate for price adjustment for works-related items.

Enhancement of programming, audience building, and renewal of permanent exhibitions of public museums

16. Members in general expressed support for the Administration's proposal to renew the permanent exhibitions in the Hong Kong Science Museum, the Hong Kong Heritage Museum ("HKHM"), the Hong Kong Museum of History and the Hong Kong Museum of Coastal Defence. In members' view, museums under the management of the Leisure and Cultural Services Department ("LCSD") should provide inspiring, experimental and educational exhibitions through the development of interactive exhibits and multimedia programmes, thereby fostering youngsters' interest in science, history and heritage. Some members suggested that LCSD should collaborate with the education and commercial sectors to introduce initiatives to attract more visitors to the

museums. The Administration was urged to consider arranging exhibitions on the four local intangible cultural heritage ("ICH") items which had been inscribed onto the national list of ICH items in the revamped Hong Kong Culture Gallery of HKHM, so as to enhance public awareness of and interest in local ICH.

17. The Administration advised that LCS D would continue to promote local ICH items through activities of HKHM and other LCS D museums or venues such as the Hong Kong Central Library. To sustain the appeal to the public and cultivate a wider audience base, LCS D would renew the permanent exhibitions of its museums at suitable intervals. It was the Government's future direction to utilize advanced technology to bring fun and exciting experience to visitors to public museums, where possible.

Sports development

Development of football in Hong Kong

18. The Panel received a briefing on the progress of the development of football in Hong Kong. Members noted that the Football Task Force agreed that upon the expiry of the "Project Phoenix" funding commitment, the Government should make a time-limited commitment to the Hong Kong Football Association ("HKFA") to fund the engagement of key management and technical staff to implement its five-year strategic plan 2015-2020. Performance indicators and quantifiable targets directly relating to the initiatives in the strategic plan should be included in the funding agreement with HKFA. Members urged the Administration to ensure the prudent and effective use of public resources so allocated and closely monitor HKFA's progress in improving its levels of governance and management, financial discipline and business planning.

19. Members considered that the development of high quality local players and success in attracting more spectators to football matches were pivotal to football development. Pointing out that the lack of suitable facilities for training and competition had affected the standard of football in Hong Kong, members urged the Administration to increase the availability and quality of pitches for training and competitions. There was a suggestion that the Government should consider increasing the subvention to local football teams in the professional and amateur leagues in Hong Kong. There was also a view that Futsal, a five-a-side game, served as a good introduction and complementary activity to the regular 11-a-side football. The Administration was urged to work closely with the Education Bureau ("EDB") to create an enabling environment for the promotion of football/Futsal in schools. The Administration was also suggested to consider increasing the financial support

to schools and provide more coordinated support (including homework guidance) to elite/talented student players to assist them in pursuing their studies while taking part in football training.

20. The Administration advised that LCSD was increasing the provision of pitches with "third generation" artificial turf which could be used far more frequently and at lower maintenance cost than grass pitches. According to HKFA, the number of participants in structured futsal programmes of HKFA was one of the targets and indicators for the Five-year Strategic Plan. HKFA had mapped out a wide range of initiatives to promote Futsal in schools, including organizing local Futsal competitions among schools and at the community level. It had also stepped up its training programmes for coaches and referees with a view to providing more support to young players.

Progress of the Kai Tak Multi-purpose Sports Complex Project

21. The Panel continued to follow up on the proposed Multi-purpose Sports Complex ("MPSC") project at Kai Tak. Members noted that the Administration planned to engage an operations consultant in mid-2015 to provide expert advice on the functional requirements of MPSC and the estimated cost of the consultancy was about \$40 million. Members were also advised that the Administration aimed to obtain approval from the Public Works Subcommittee and FC for the funding proposal for the pre-construction work for the project in the 2014-2015 legislative year. Noting that there would be a delay in the expected date of completion for the MPSC project from 2019-2020 to 2020-2021, members were concerned about the measures to be taken by the Administration to expedite the delivery of the project. Concern was also raised whether the construction costs would vary significantly by the time the Administration sought funding from FC to kick start the construction of the project.

22. The Administration advised that the project was originally estimated to be completed in 2019-2020. Compared with the projected timetable presented to the Panel in 2014, the Administration anticipated a slight delay of about nine months. The Administration had set up a technical team to advise on the engineering and architectural aspects of the project and completed the preparation for the engagement of an operations consultant to provide expert advice on the functional requirements as well as the performance standards, business planning and financial projections of MPSC. The Administration would appoint an independent quantity surveying consultant to be responsible for estimating the project cost to ensure that the construction works would be priced at a reasonable level.

23. Some members considered that the current design of the project should be further fine-tuned to provide venue support for conducting more sports (e.g. motor racing, cycling and water sports). These members urged the Administration to adopt a flexible approach in the planning and design of MPSC so that the Complex could be sustainable and expandable in future. Members also expressed concern about the crowd dispersal arrangements for major events held at the main stadium of MPSC and reminded the Administration to work out the detailed crowd dispersal arrangements with the relevant departments.

24. According to the Administration, the project scope was based on the design for venues for staging international sports events, alongside with the outlook of making available the maximum number of facilities for the best possible operation/organization of a variety of sports events. The operations consultant would engage all relevant stakeholders including national sports associations, the Hong Kong Schools Sports Federation and other potential users so that their views and needs would be taken into account in the design, construction and operation phases. The Administration also advised that it had engaged a specialist consultant to undertake a preliminary study on crowd dispersal immediately following events when the main stadium attracted an attendance of 50 000 spectators. The study showed that based on the current draft layout scheme, most spectators would have dispersed from MPSC and arrive at the two MTR stations close to MPSC (i.e. Kai Tak and To Kwa Wan) within 30 minutes.

Sports development policy

25. The Panel discussed with the Administration the Government's policy to promote and develop sports. While expressing support for the Government to promote sports in the community, members were concerned about the inadequacy of the provision of public sports facilities in Hong Kong. Members in general considered that apart from increasing sports facilities in districts, EDB should encourage the schools to open up their sports facilities for use by local sports associations and general public. There was a suggestion that additional resources should be provided to schools for hiring temporary staff to guard the schools during weekends and holidays so that sports facilities in schools could be opened up for public use. Members urged the Home Affairs Bureau ("HAB") and EDB to work in collaboration to encourage more schools to open up their sports facilities after school hours for public use and to address the issue of provision of additional resources to the schools. Members were also concerned about promoting sports in schools and sports education in schools. There was also a view that the Government should review and evaluate the effectiveness of its policy on promoting sports in the community, supporting elite sports and developing Hong Kong into a prime destination for hosting major international sports events.

26. The Administration advised that in planning new facilities, reference would be made to the parameters set out in the Hong Kong Planning Standards and Guidelines. As announced by the Chief Executive in his 2015 Policy Address, the Sports Commission would set up a working group to gauge the demand for sports facilities in Hong Kong. According to EDB, in addition to the general Physical Education curriculum, EDB implemented measures to strengthen collaboration between schools, sports organizations and parents to cultivate students' interest in physical activity. Schools could organize sports activities for students after school hours to promote participation in physical activity. On members' suggestion, EDB would continue to encourage schools to open up their own sports facilities after school hours for public use.

Educational and career development support for elite athletes

27. When discussing with the Administration educational and career development support for elite athletes, members were advised that the Hong Kong Sports Institute ("HKSI") had set up the Elite Athlete-Friendly School Network ("the Network") to establish partnership with 27 secondary schools to allow flexibility in the curriculum to specifically accommodate student-athletes' study, training and competition schedules. While members in general considered the initiative conducive to the nurturing of local young athletes and hoped that the Network could be extended to cover more secondary schools, some members held a strong view that the Administration should formulate concrete policy and action plan to address the problems faced by student-athletes. Members also considered that HAB should take the lead to coordinate with EDB to raise students' interest in non-academic subjects, such as Physical Education. The Administration advised that HAB had undertaken a number of measures, in collaboration with relevant stakeholders, including EDB, with a view to promoting sport in schools and strengthening support for student-athletes. It was expected that the exemplary performance of the 27 participating schools in the Network launched by HKSI would be recognized gradually, thereby fostering a culture that valued sports in other schools.

28. Members were advised that HKSI had been working with the education sector to develop new educational programmes for elite athletes, including the Professional Accreditation Programme ("PAP"). Under PAP, the knowledge and experience which athletes had gained through elite sports training in areas covering sports anatomy, exercise physiology, sports nutrition, sports-specific theory and practice would be formally evaluated and accredited. PAP would interface with the Qualifications Framework ("QF") in the long run and be benchmarked at QF Level 3 or above. HKSI was considering partnering with local institutions to provide an on-site PAP at diploma level to elite athletes aged 15 and above, whereby their sports training would be the core of the programme

and recognized for credit points.

29. Members remained concerned about the support for athletes in their pursuit of further education, employment and the development of a "second career" upon retirement. The Administration was called on to develop a comprehensive career development plan for retired athletes. According to the Administration, HKSI had implemented the Athletes Integrated Educational and Vocational Development Programme to provide assistance to athletes in educational and career development which included academic guidance, consultation and tutorial services, career planning and vocational training. The Programme also made work experience placement arrangements for elite athletes wishing to become coaches after retirement and provided subsidies for those enrolled in recognized coach training programmes. These apart, the Sports Federation & Olympic Committee of Hong Kong, China had invited business organizations to offer job opportunities to retired athletes and a number of enterprises/corporations had joined the job matching scheme.

30. Concern was also raised about the support for athletes with disabilities. In members' view, more effective measures should be mapped out in view of the less advantaged position of disabled athletes and the many difficulties they faced in committing to sports training and competitions. The Administration advised that HAB would engage a consultant in 2015 to study the development of sport for the disabled and how to provide better support for athletes with disabilities.

Review of the Building Management Ordinance

31. Building management was a subject of concern to the Panel. The Panel discussed with the Administration the public consultation document on "Review of the Building Management Ordinance (Cap. 344) ("BMO")" and met with deputations on the subject. Members shared the concern of the deputations that the new measures as proposed in the consultation document might not be effective in addressing the problem of bid-rigging in the tendering process of large-scale building maintenance projects. According to the Administration, it had put forward two proposals to ensure that there had been thorough discussion and wide participation by owners before a decision on large-scale maintenance projects were made. These proposals were (a) to raise the quorum of the owners' corporation ("OC") meeting at which the voting of the resolution took place; and (b) to raise the percentage of shares of votes required for the passage of the resolution.

32. Many members commented that it would be extremely difficult for OCs to commence building maintenance works if the required percentage of shares of votes for the passage of the resolution was raised from 50% to 75% of the shares

of votes at the meeting. These members considered that the proposal of requiring a higher threshold for passing resolution was not desirable. Some members pointed out that the Hong Kong Housing Society ("HKHS") and the Urban Renewal Authority ("URA") had put in place safeguard measures for prevention of syndicated bid-rigging in building repair and maintenance works carried out under the Operation Building Bright and suggested that HAD should make reference to the measures adopted by HKHS and URA in amending BMO. There was a suggestion that the Administration should consider establishing a "central database" that captured information on market prices for various maintenance items and past performance of consultants/contractors in the market for reference of owners or OCs in planning building maintenance works. There was also a view that criminal sanctions should be provided in BMO to deter people, including members of the management committee ("MC"), from breaching the requirements of BMO and to help curb syndicated bid-rigging in large-scale building maintenance projects.

33. The Administration advised that the Government would continue to adopt a multi-pronged approach through proactive measures such as publicity and education, procedural enhancement, provision of better support for OCs and owners as well as active investigation and enforcement actions to prevent unlawful activities in the course of building maintenance works. In the Administration's view, the two proposed options to encourage greater participation by owners in implementing large-scale maintenance project were considered feasible options, so as to help address public's main concern over in building management. The decision on the proposal to be adopted would be made in light of the views collected during the consultation period. The Administration also pointed out that as owners served as MC members on a voluntary basis, many of them considered it unfair to subject them to criminal liability.

34. Members welcomed the proposal of lowering the threshold for terminating the appointment of the Deed of Mutual Covenant ("DMC") managers from 50% to 30% of shares in aggregate. On the proposal of lowering the threshold for the formation of OCs under section 3 of BMO from 30% to 20% of shares in aggregate, some members expressed support for it as it would ameliorate the difficulty in gathering sufficient percentage of shares in aggregate to form an OC.

Outcome of the public consultation on the Administration's proposals to amend the Hotel and Guesthouse Accommodation Ordinance

35. When the Panel was briefed by the Administration on the outcome of public consultation exercise on the Review of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) ("HAGAO"), members were advised that

except for the guesthouse trade, majority of the respondents expressed support for the Licensing Authority under HAGAO to take into consideration the explicit provisions in DMC that prohibited the premises concerned to be used as a hotel or guesthouse, as well as views of residents concerned on guesthouse applications in processing licence applications. There was also overwhelming support for enhancing the deterrent effect of HAGAO through increasing the maximum penalties for operating unlicensed guesthouses and imposing a more stringent sanction by seizing the premises concerned upon second conviction.

36. While supporting the proposed amendments to HAGAO, members were concerned about the possible impact on the existing licensed guesthouses, in particular those operated in residential buildings DMC of which contained explicit restrictive provisions against the operation of guesthouses. The Administration was urged to introduce measures to assist the affected operators to tide over the difficulties. Some members suggested that the Administration should allow a longer transitional period to facilitate the affected operators to adapt to the new licensing requirements. There was also a suggestion that the Administration should identify suitable premises for the guesthouse operators to relocate their operations. The Administration advised that to allow sufficient time for the current guesthouse operators to adapt to the new licensing regime and make necessary arrangements, such as relocation, it was proposed that their licences could be renewed once with the existing licensing requirements for a period of 12 months upon commencement of the amendment bill. In other words, current operators would be subject to the new licensing requirements for licence renewal one year after the amendment bill had come into effect.

37. Members also raised concern about the effectiveness of the enforcement actions taken by the Office of the Licensing Authority ("OLA") to combat and eradicate unlicensed guesthouses. The Administration advised that to facilitate enforcement, the Administration proposed to add new provisions in HAGAO to the effect that when any premises were found to be offering or have provided short-term sleeping accommodation at a price without a valid licence, the owner, tenant or occupier of the premises concerned could be held liable. These provisions should effectively assist OLA in instigating prosecution against the owners and operators of the unlicensed guesthouses. The Administration also proposed to make provision to allow OLA to apply to the court for search warrants to facilitate its enforcement officers to enter into, and break in if necessary, individual premises suspected of being used as unlicensed guesthouse for inspection and enforcement actions.

Review of the Chinese Temples Ordinance

38. The Panel discussed with the Administration and met with deputations on the Administration's consultation paper on the review on the Chinese Temples

Ordinance (Cap. 153) ("CTO") and the proposed amendments to CTO. The proposed amendments included removing the provision that required all Chinese temples to be registered, establishing the Chinese Temples Committee ("CTC") as a body corporate, and merging the existing Chinese Temples Fund and the General Chinese Charities Fund into a single Chinese Temples Charities Fund to be continued to be managed by CTC. It was also proposed to establish a voluntary registration scheme and provide the Secretary for Home Affairs with power to participate in legal proceedings involving any mismanagement of Chinese Temples and/or abuses of temples' funds.

39. According to the Administration, there was currently no legislation in Hong Kong regulating the operation and activities of religious bodies/facilities other than Chinese temples. While some members appreciating the concerns of relevant religious bodies over the propriety of imposing requirements on Chinese temples by applying the provisions under CTO, some other members shared the concern of some deputations that the proposal to replace the mandatory registration requirement with a voluntary registration scheme might create a loophole and result in the proliferation of private columbaria operated in the name of temples but not registered under CTO. These members queried the propriety of such arrangements which, in their view, might affect or lessen the protection afforded to the public against unlawful activities of deceitful pseudo-religious establishments. They also questioned whether the Administration was shirking its regulatory responsibilities over Chinese temples in implementing the voluntary registration scheme.

40. The Administration explained that CTO was enacted in 1928 against the rampant activities of deceitful pseudo-religious establishments. The proposed amendments to CTO were put forward with a view to better serving prevailing social needs having regard to present circumstances. Particular attention had been paid to striking a balance between respecting the freedom of religion and safeguarding public interest during the comprehensive review on CTO. Besides, various pieces of legislation were readily in place to provide protection and remedies against frauds, malpractices and misuses of funds, as well as environmental and safety problems that were associated with organizations. These legal provisions were also applicable to the operation of Chinese temples as well as other religious bodies. The Administration also advised that the Food and Health Bureau had formulated a licensing scheme for regulating the operation of private columbaria and introduced into the Legislative Council the Private Columbaria Bill which was being scrutinized by the relevant Bills Committee.

41. Members took the view that the Administration's proposals did not provide adequate incentives to attract the Chinese temples to register voluntarily. Members also considered that the Administration should put in place measures

to assist the public to differentiate registered temples from unregistered ones. The Administration advised that one of the major advantages of the voluntary registration scheme was that it helped enhance the transparency of the management of Chinese temples, including their use of public donations, while not affecting religious freedom. The full list of temples registered with CTC would be published on CTC's website, and the major information of the registered temples would also be published for public access and inspection. CTC would conduct random checks on the information submitted by the registered temples, and in case of any false claims or fraudulent concealment, CTC might consider cancelling the registration.

Other issues

42. Other issues deliberated by the Panel included the Administration's capital works proposal for constructing an open space at Hing Wah Street West, Sham Shui Po, an update on the work of safeguarding and promoting ICH and Art Development Matching Grants Pilot Scheme.

Meetings held

43. During the period between October 2014 and end of June 2015, the Panel held a total of 11 meetings. The Panel has scheduled another meeting in July 2015.

Council Business Division 2
Legislative Council Secretariat
18 June 2015

Legislative Council

Panel on Home Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to district, community and rural matters, civic education, building management, youth matters, provision of leisure and cultural services, development of arts and culture, public entertainment, sport and recreation.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Home Affairs

Membership list for the 2014-2015 session

Chairman	Hon Starry LEE Wai-king, JP
Deputy Chairman	Hon YIU Si-wing
Members	Hon Cyd HO Sau-lan, JP Dr Hon LAM Tai-fai, SBS, JP Hon CHEUNG Kwok-che Hon IP Kwok-him, GBS, JP Hon Claudia MO Hon NG Leung-sing, SBS, JP Hon Steven HO Chun-yin Hon Frankie YICK Chi-ming Hon WU Chi-wai, MH Hon MA Fung-kwok, SBS, JP Hon CHAN Chi-chuen Dr Hon Kenneth CHAN Ka-lok Hon LEUNG Che-cheung, BBS, MH, JP Dr Hon Helena WONG Pik-wan Hon IP Kin-yuen 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

(Total : 21 Members)

Clerk Ms Alice LEUNG

Legal Adviser Ms Vanessa CHENG

Date 9 October 2014