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**Establishment Subcommittee of the Finance Committee**

**Minutes of the 13<sup>th</sup> meeting**  
**held in Conference Room 1 of Legislative Council Complex**  
**on Monday, 23 May 2016, at 8:30 am**

**Members present:**

Hon Mrs Regina IP LAU Suk-ye, GBS, JP (Chairman)  
Hon Albert HO Chun-yan  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon WONG Ting-kwong, SBS, JP  
Hon Starry LEE Wai-king, JP  
Hon CHAN Hak-kan, JP  
Hon IP Kwok-him, GBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip  
Hon NG Leung-sing, SBS, JP  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
Hon MA Fung-kwok, SBS, JP  
Hon Charles Peter MOK, JP  
Hon CHAN Chi-chuen  
Dr Hon Kenneth CHAN Ka-lok  
Hon Kenneth LEUNG  
Hon Alice MAK Mei-kuen, BBS, JP

Hon KWOK Wai-keung  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon SIN Chung-kai, SBS, JP  
Hon IP Kin-yuen  
Hon Martin LIAO Cheung-kwong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP  
Hon Alvin YEUNG Ngok-kiu

**Members absent:**

Hon WONG Kwok-kin, SBS (Deputy Chairman)  
Hon Steven HO Chun-yin, BBS  
Hon CHAN Han-pan, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Dr Hon Helena WONG Pik-wan  
Dr Hon Elizabeth QUAT, JP  
Hon CHUNG Kwok-pan

**Public Officers attending:**

Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury)1
Mr Eddie MAK Tak-wai, JP	Deputy Secretary for the Civil Service (1)
Miss Susie HO, JP	Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries)
Mr Joe WONG, JP	Deputy Secretary for Commerce and Economic Development (Communications and Creative Industries)
Mr Ivanhoe CHANG	Principal Assistant Secretary for Commerce and Economic Development (Communications and Creative Industries) B
Prof Sophia CHAN, JP	Under Secretary for Food and Health
Miss Diane WONG	Principal Assistant Secretary for Food and Health (Food) 2
Miss Vivian LAU, JP	Director of Food and Environmental Hygiene

Mrs Avia LAI, JP	Deputy Director of Food and Environmental Hygiene (Administration and Development)
Mr CHIU Yu-chow	Assistant Director of Food and Environmental Hygiene (Grade Management and Development)
Miss Annie TAM, JP	Permanent Secretary for Labour and Welfare
Mr Donald CHEN, JP	Deputy Secretary for Labour and Welfare (Welfare) 2
Mr Steve TSE	Principal Assistant Secretary for Labour and Welfare (Special Duties)
Mr LAM Ka-tai, JP	Deputy Director of Social Welfare (Services)

**Clerk in attendance:**

Ms Connie SZETO	Chief Council Secretary (1)4
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**Staff in attendance:**

Mr Jason KONG	Council Secretary (1)4
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Ms Haley CHEUNG	Legislative Assistant (1)9
Miss Yannes HO	Legislative Assistant (1)6

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Action

The Chairman drew members' attention to the information paper ECI(2016-17)2 which set out the latest changes in the directorate establishment approved since 2002 and the changes to the directorate establishment in relation to the eight items on the agenda. She then 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 interest relating to the funding proposals under discussion at the meeting before they spoke on the items. She also drew members' attention to RoP 84 on voting in case of direct pecuniary interest.

**EC(2015-16)20 Proposed creation of two supernumerary posts of one Administrative Officer Staff Grade B (D3) and one Administrative Officer Staff Grade C (D2) in the Communications and Creative Industries Branch of the Commerce and Economic Development Bureau for three years with immediate effect upon approval of the Finance Committee to conduct a review of the Telecommunications Ordinance (Cap. 106) and the Broadcasting Ordinance (Cap. 562) and complete the associated legislative exercise**

2. The Chairman remarked that the Administration's proposal was to create two supernumerary directorate posts in the Communications and Creative Industries Branch of the Commerce and Economic Development Bureau ("CEDB") for three years to conduct a review of the Telecommunications Ordinance (Cap. 106) and the Broadcasting Ordinance (Cap. 562) and complete the associated legislative exercise. She pointed out that discussion of the item was carried over from the meeting on 27 April 2016.

Tasks and timetable of the review

3. Mr CHAN Chi-chuen was of the view that it was undesirable to conduct a comprehensive review of the two Ordinances at the same time, and suggested that the Administration should consider reviewing each topic covered one by one. He enquired about the justifications for creating the two supernumerary posts and whether the Communications Authority ("CA") would participate in this review.

4. Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries) ("PS(CCI)") advised that the Government had reviewed the two Ordinances from time to time. During the period from 1999 to 2009, the Government had made amendments to the Telecommunications Ordinance and the Broadcasting Ordinance on several occasions. However, the amendments were mostly made to address specific matters and were not comprehensive. Given the evolution of technology and market changes and coupled with the establishment of CA in 2012, the Government considered it timely to conduct a comprehensive review of the two Ordinances. Having prudently assessed the workload arising from the comprehensive review and the existing manpower in CEDB, the Government considered it necessary to create the two proposed posts to handle the relevant work. As CA was experienced in enforcing the two Ordinances and well acquainted with the inadequacies, the Government would consult CA on the direction and coverage of the review during the process.

5. Mr MA Fung-kwok enquired why the Administration would only consider other broader issues in the latter stage of the review, and whether the review could complete within three years. PS(CCI) explained that during the scrutiny of the Communications Authority Bill, the Government had undertaken to accord priority to reviewing issues including cross-media ownership restrictions, foreign ownership restrictions, licensing authorities and appeal mechanisms. Hence, these four issues would be given priority in the proposed review. Other issues (such as issues relating to the Next Generation Network) would be considered in the latter stage. The Government considered it appropriate to set the duration of the two proposed posts at three years initially. If necessary, the Government would submit proposals to retain the posts in accordance with the established mechanism.

6. Ms Emily LAU expressed support for this establishment proposal. She criticized the serious lack of choices in free television stations in Hong Kong, and opined that the Administration was duty-bound to solve the problem. She enquired if consideration would be given to amending the licensing mechanism for free television service, with a view to devolving the powers of the Chief Executive in Council in vetting and approving licence applications to CA; and introducing provisions in the Broadcasting Ordinance to require that free television programmes should cater for the local audience. Mr LEUNG Kwok-hung also pointed out that there was a public aspiration that the Administration should improve the licensing mechanism for free television service.

7. PS(CCI) advised that the Government remained open to the suggested devolution of licensing powers in respect of free television service. Relevant views would be taken into account during the comprehensive review of the two Ordinances. Furthermore, imposing additional requirements on the content of free television programmes might necessitate the inclusion of additional requirements in the licensing conditions, which would be a challenge as local taste or elements were hard to define. When handling the free television service licence renewal applications recently, the Government had included additional requirements in the licensing conditions requiring that a certain proportion of the programmes should be local production. The Government would continue to gauge public views on licensing conditions when conducting the mid-term review of the licences.

#### Regulation of internet media

8. Mr YIU Si-wing and Mr MA Fung-kwok pointed out that the prevalence of Internet media might lead to fundamental changes in the structure of the local broadcasting and telecommunications markets. Given that television services provided on the Internet were currently not subject to regulation under the Broadcasting Ordinance, transmission of inappropriate information (such as obscene and indecent materials, or information relating to

terrorist acts) on the Internet might get out of control. They enquired why the scope of the review had not covered regulation of Internet media. They opined that the Administration should monitor market changes closely and consider regulating Internet media.

9. Mr Alvin YEUNG asked whether the review would cover the regulation of Internet media. He pointed out that there were no uniform standards for governing activities conducted on the Internet among bureaux and departments, and this had caused confusion to the public. A case in point was the controversies surrounding the way in which the Electoral Affairs Commission dealt with online publicity. He reminded the Administration to be mindful of this situation.

10. Mr Albert CHAN, Mr LEUNG Kwok-hung, Mr CHAN Chi-chuen and Mr Charles MOK were of the view that it was impracticable to subject Internet media to regulation under the Telecommunications Ordinance and the Broadcasting Ordinance. They were gravely concerned that the Administration would tighten regulation of Internet media and hinder the freedom of speech. They considered that the Administration should clarify that regulation of Internet media would not be covered by this review.

11. PS(CCI) responded that the Legislative Council ("LegCo") had discussed this subject during scrutiny of the Broadcasting Bill in 2000. Given the low penetration rate of the Internet at that time, the then Members had generally agreed that television services provided on the Internet should be exempt from the regulation of the Broadcasting Ordinance. Nevertheless, information transmitted on the Internet was subject to regulation under the Control of Obscene and Indecent Articles Ordinance (Cap. 390), whereas information relating to terrorist acts was also subject to regulation under other relevant legislation. She added that a regulatory regime targeting at Internet media was difficult to implement, as Internet media were boundary free. The Government had been monitoring relevant developments in overseas jurisdictions, and found that very few of them had put in place regulatory regimes targeting at Internet media. The Administration would continue to monitor the developments of relevant overseas regulatory regimes. She reiterated that the Administration had no intention to tighten the regulation of Internet media through this review, nor was the subject a matter of priority in the review. The Government remained open on the question of whether the regulation of Internet media should be enhanced. She pointed out that if, during the public consultation on the comprehensive review, there were suggestions from the public or Members on the regulatory regime of Internet media, the Government could not evade the issue. The Government would also closely monitor the latest market development, with a view to coming up with forward-looking recommendations in the review.

12. Ms Emily LAU requested the Administration to provide supplementary information before submitting the proposal to the Finance Committee ("FC"): (a) explaining the coverage of the review, including the items that would be covered and those not, in particular whether the regulation of Internet media would be covered; (b) elaborating the Administration's policy on regulating Internet media; and (c) explaining the principles the Administration would follow in dealing with the requests put forward by the public or Members of LegCo on tightening the regulation of Internet media, and explaining whether the Basic Law, the Hong Kong Bill of Rights Ordinance (Cap. 383) and the International Bill of Human Rights contained provisions to safeguard the freedom of expression online.

*[Post-meeting note: The supplementary information provided by the Administration was circulated to members on 8 June 2016, vide LC Paper No. ESC108/15-16(01).]*

13. Mr WU Chi-wai enquired whether the Administration would consider issuing a white bill to consult the public again on the proposed legislative amendments made after the review. Mr LEUNG Kwok-hung opined that the Administration should issue a white bill to consult the public if the legislative amendments involved changes to the regulation of Internet media.

14. PS(CCI) stressed that freedom of speech and freedom of communication of the public were protected by the Basic Law and the Hong Kong Bill of Rights Ordinance, etc. She said that the Government would publish a public consultation paper to gauge public views during the comprehensive review. The Government had yet to decide on whether a white bill would be issued for public consultation, and would handle the matter flexibly having regard to the actual circumstances. For instance, if there were great controversies over individual subjects, the Government would not rule out the possibility of issuing a white bill to consult the public for more in-depth discussions.

#### Other issues

15. Ms Emily LAU urged the Administration to submit the remaining establishment proposals to the Subcommittee as soon as possible, so that FC could complete scrutiny of all items before the prorogation of the current-term LegCo. The Chairman enquired about the number of outstanding proposals to be submitted to the Subcommittee for discussion.

16. Deputy Secretary for Financial Services and the Treasury (Treasury) 1 advised that there would be in total 19 establishment proposals to be submitted to the Subcommittee for discussion before the prorogation of the current-term LegCo, including the eight items on the agenda of this meeting.

In addition to this meeting, the Subcommittee had scheduled additional meetings amounting to 16 hours. If necessary, the Government would request the Subcommittee to hold more meetings.

Voting on the item

17. The Chairman put the item EC(2015-16)20 to vote. At the request of Mr Albert CHAN, the Chairman ordered a division, and the division bell rang for five minutes. Twenty members voted for the item, three voted against the item and five abstained from voting. The Chairman declared that the Subcommittee agreed to recommend the item to FC for approval. The votes of individual members were as follows:

*For*

Mr CHAN Kam-lam	Mr TAM Yiu-chung
Mr WONG Kwok-hing	Prof Joseph LEE
Mr WONG Ting-kwong	Ms Starry LEE
Mr CHAN Hak-kan	Mr IP Kwok-him
Mr NG Leung-sing	Mr YIU Si-wing
Mr MA Fung-kwok	Mr Charles MOK
Mr Kenneth LEUNG	Miss Alice MAK
Mr Christopher CHEUNG	Mr Martin LIAO
Mr POON Siu-ping	Mr TANG Ka-piu
Dr CHIANG Lai-wan	Ir Dr LO Wai-kwok
(20 members)	

*Against*

Mr LEUNG Kwok-hung	Mr Albert CHAN
Mr CHAN Chi-chuen	
(3 members)	

*Abstain*

Mr Albert HO	Mr James TO
Ms Emily LAU	Dr Kenneth CHAN
Mr SIN Chung-kai	
(5 members)	

18. Ms Emily LAU and Mr Albert CHAN requested that the item be voted on separately at the relevant FC meeting.



**EC(2015-16)21 Proposed creation of one supernumerary post of Administrative Officer Staff Grade B (D3) in the Food and Environmental Hygiene Department for a period of five years from the enactment date of the Private Columbaria Bill or with immediate effect upon approval of the Finance Committee (whichever the later) to head the new Regulation of Private Columbaria Branch to steer and oversee the implementation of the new Ordinance when enacted**

19. The Chairman remarked that the Administration's proposal was to create a supernumerary post of Administrative Officer Staff Grade B (D3) (designated as Head (Regulation of Private Columbaria Branch) ("Head(RPCB)")) in the Food and Environmental Hygiene Department ("FEHD") for a period of five years to head the new Regulation of Private Columbaria Branch ("RPCB") to steer and oversee the implementation of the Private Columbaria Ordinance upon its enactment.

20. The Chairman advised that the proposal was discussed by the Panel on Food Safety and Environmental Hygiene on 2 February 2016, and all the members who had taken part in the discussion supported the proposal. The Administration explained at the meeting that the Private Columbaria Bill introduced a regulatory regime on private columbaria for the first time. In view of the expected complexity and volume of work involved in regularization of private columbaria and rectification applications, coupled with the fact that it was difficult for the existing two Deputy Directors (both ranked at D3) in FEHD to absorb the additional workload, the Administration considered it necessary to create a supernumerary directorate post to head a new, dedicated branch to implement the Ordinance upon its enactment. The holder of the proposed post would take up chairmanship of the Private Columbaria Licensing Board (the "Licensing Board") to be set up under the Ordinance to determine applications for licences and other specified instruments. Given that the implementation of the policy and licensing regime on private columbaria was an ongoing task, some members suggested that the Administration should review the need of turning the proposed post permanent before its expiry.

#### Staffing arrangement for the implementation of the Private Columbaria Ordinance

21. Mr Albert CHAN expressed support for the establishment proposal. However, Mr CHAN and Mr LEUNG Kwok-hung were of the view that the regulatory regime on private columbaria involved matters straddling various bureaux and departments. They were concerned that the holder of the proposed post would be unable to coordinate the work of the relevant bureaux and departments effectively, and the Administration would be unable to

implement the new regulatory regime properly. They asked about the justifications of creating the proposed post in FEHD instead of under a policy bureau.

22. Mr IP Kwok-him said that he was the Chairman of the Bills Committee on Private Columbaria Bill. He supported the Administration's proposal and considered it appropriate to create the proposed post in FEHD to handle the regulatory issues of private columbaria, because the Department was currently responsible for managing public columbaria and had accumulated relevant experience.

23. As the problems relating to private columbaria were long-standing and very complex, Dr Fernando CHEUNG expressed grave concern on RPCB's enforcement ability and effectiveness. He enquired if the proposed post would be provided with sufficient powers to deal with various problems.

24. Under Secretary for Food and Health ("USFH") advised that the implementation of the regulatory regime on private columbaria would involve complex issues in relation to licensing and enforcement. As FEHD was currently responsible for managing public columbaria and handling related issues, the Government considered it appropriate to establish RPCB under FEHD and create the proposed post. Upon enactment of the new Ordinance, the Government would set up a statutory Licensing Board to handle applications for private columbarium licences and other specified instruments. The Licensing Board would coordinate the inputs from the relevant bureaux and departments when vetting and approving such applications. She stressed that the Government would not underestimate the time required to deal with legacy problems and the complexity of the work involved. The Government would make its best endeavours to tackle the problems concerned.

25. Director of Food and Environmental Hygiene ("DFEH") added that the Private Columbaria Ordinance would empower civil servants to perform various duties. The Government attached great importance to high-level coordination among bureaux and departments in furtherance of effective implementation of the regulatory regime on private columbaria, expeditious handling of applications, and effective enforcement. The holder of the proposed post would be responsible for the abovementioned coordination work.

26. Mr LEUNG Kwok-hung urged that the Administration should deploy sufficient manpower to handle the voluminous work involved in implementing the regulatory regime, especially the enforcement work.

27. Mr IP Kwok-him pointed out that rectifying the long-standing problems in the private columbarium market was a difficult task which had to be handled by experienced staff. He enquired about the staffing

arrangements of RPCB.

28. Dr Kenneth CHAN said that he was the Deputy Chairman of the Bills Committee on Private Columbaria Bill. He supported the establishment of the new RPCB and creation of the proposed supernumerary directorate post in FEHD. He sought details on the manpower and legal support arrangements in the Branch, and whether other relevant bureaux and departments (such as the Home Affairs Bureau and the Transport Department) would increase their manpower to cope with the workload arising from the implementation of the regulatory regime, including handling applications for exemption in respect of columbaria of Chinese temples.

29. USFH and DFEH responded that RPCB would comprise a Licensing Board Secretariat, a Licensing Team, and an Enforcement Team. RPCB would have an establishment of about 50 non-directorate staff with around 20 staff in each of the Licensing Team and the Enforcement Team. A majority of such posts would be in the Health Inspector Officer grade, and the post holders would have experience in managing cemeteries, crematoria or columbaria. The actual staffing arrangements of the Branch in future was subject to prevailing circumstances. If necessary, FEHD would internally redeploy manpower to the Branch, or seek additional resources in accordance with the established mechanism.

30. Principal Assistant Secretary for Food and Health (Food) 2 ("PAS(Food)2") supplemented that a new post would be created in the Department of Justice for providing dedicated legal advice on regulatory issues. The Lands Department and the Transport Department would also increase their manpower to handle applications submitted by columbarium operators. The additional manpower in the Transport Department would be responsible for providing advice on traffic impact assessments and management plans (including matters like traffic and crowd control management). The Home Affairs Bureau would handle the increased workload with existing manpower at the initial stage, and would consider seeking resources having regard to the actual workload when necessary.

31. Mr WU Chi-wai considered that the Administration had failed to address the severe shortage in public columbaria in a timely manner, which showed that the officers involved were incompetent. He was concerned that no suitable candidate would be available in the Government to fill the proposed Head(RPCB) post. USFH explained that it had taken a longer time to formulate a plan to build a new public columbarium mainly because the Government needed to consult the residents and relevant stakeholders thoroughly on the location of the facility, as well as conduct various assessments (such as traffic impact assessment).

32. Mr WU Chi-wai and Dr Fernando CHEUNG enquired about the composition of the Licensing Board. Dr CHEUNG was concerned about the appointment of private columbarium operators as members of the Licensing Board, which would give rise to conflict of interests.

33. USFH responded that the Licensing Board would comprise seven to nine members, and the holder of the proposed post would be the chairman of the Board. The membership of the Licensing Board had yet to be decided, and the Government would take into account Members' views.

### Enforcement

34. Mr YIU Si-wing expressed support for the creation of the proposed supernumerary post. He asked about the Administration's measures to prevent deterioration of the problems associated with non-compliant private columbaria which existed prior to the implementation of the Ordinance. He also enquired whether the provisions on false trade descriptions and misstatements under the Trade Descriptions Ordinance (Cap. 362) would be applicable to advertisements of private columbaria, and whether the Hong Kong Customs and Excise Department ("C&ED") had investigate cases where advertisements of private columbaria were in breach of the Trade Descriptions Ordinance.

35. USFH remarked that when the Private Columbaria Bill was introduced into LegCo in 2014, the Government had also implemented a Notifications Scheme to enable a better understanding of the private columbaria market and provide reference to the Licensing Board in its future assessment on whether any applicants were pre-existing private columbaria prior to the introduction of the Bill. The Bill provided that, subject to compliance with the stipulations and requirements as set out in the Bill, pre-existing private columbaria which had yet to comply fully with the relevant requirements could apply for licensing exemption to continue their operation, but sales of niches would no longer be allowed. The Government was looking forward to the early passage of the Bill by LegCo so that it could take forward the regulatory regime on private columbaria.

36. PAS(Food)2 added that, after the Bill had been published, the Government had enhanced its efforts to remind the public to be mindful of false or misleading trade descriptions and be cautious in choosing niches in private columbaria through various channels, such as Announcements in the Public Interest and leaflet on "Useful Advice for Consumers – Points to Note When Purchasing Private Columbaria Niches". The Food and Health Bureau had discussed with C&ED on issues relating to advertisements of private columbaria that contravened the Trade Descriptions Ordinance, and C&ED had identified certain advertisements suspected of containing misrepresentation. The relevant departments would look into the matter and

take follow-up actions.

### Green burial and public columbaria

37. Ms Emily LAU expressed support for the establishment proposal. She noted that the Health and Environment Committee of Shatin District Council had recently endorsed the proposed construction of a public columbaria at Shek Mun, and asked about the expected completion date of the facility. She also suggested that the Administration should proactively promote green burial with a view to reducing public demand for columbaria.

38. Dr Fernando CHEUNG opined that the Government should build more public columbaria to meet the needs of the public.

39. In response, PAS(Food)2 pointed out that the Government planned to submit the proposal to construct the public columbaria at Shek Mun to the relevant LegCo Panel, the Public Works Subcommittee and FC in around 2018. Currently, the Government expected that the project would complete in around 2022. The planning process for the facility had taken considerable time because, in addition to conducting public consultation, the Government had to amend the relevant Outline Zoning Plan and follow up the designs before preparing the funding proposal.

40. Regarding promotion of green burial, PAS(Food)2 advised that the Government had recently briefed the Panel on Food Safety and Environmental Hygiene on the progress of the initiative. The Government would set up a dedicated working group for promotion of green burial and step up public education (e.g. through life education in schools) to facilitate changes in the customs and traditions to encourage public acceptance on using more environment-friendly means to handle ashes of the deceased. In addition, Gardens of Remembrance would be provided, where feasible, in newly built public columbaria for members of the public to scatter ashes of the deceased. FEHD had also enhanced the ferry services for scattering ashes at sea to facilitate the use of the service by the public.

41. The Chairman put the item to vote. Members agreed that the Subcommittee should recommend the item to FC for approval. The Chairman consulted members on whether the item would require separate voting at the relevant FC meeting. No member raised such a request.

**EC(2016-17)1 Proposed retention of one supernumerary post of Administrative Officer Staff Grade C (D2) in the Labour and Welfare Bureau for 12 months with effect from 11 July 2016 or with immediate effect upon approval of Finance Committee (whichever the later) to provide continuing support for the Elderly Services Programme Plan**

42. The Chairman remarked that the Administration's proposal was to retain a supernumerary Administrative Officer Staff Grade C post, designated as Principal Assistant Secretary (Special Duties) ("PAS(SD)"), in the Labour and Welfare Bureau for one year to provide continuing support for the Elderly Services Programme Plan ("ESPP").

43. The Chairman remarked that the Panel on Welfare Services had discussed ESPP and the staffing proposal at its meeting on 14 March 2016. Members discussed the formulation and coverage of ESPP as well as the financial arrangements for its implementation. While most of the members supported the staffing proposal, some members opined that the Government should state clearly the responsibilities of the proposed supernumerary post during the one-year extension period, and that the duties of the Secretary for the Working Group on Elderly Services Programme Plan (the "Working Group") should be taken up by an officer of a lower rank. With four members voted for the proposal and one member abstained from voting, the Panel agreed that the staffing proposal be submitted to the Establishment Subcommittee for consideration.

Work progress and the way forward for elderly services

44. Dr Fernando CHEUNG expressed support for the proposed retention of the supernumerary post to support the long-term planning for elderly services. However, he opined that ESPP lacked substances, demonstrating that the Administration had no vision in the development of elderly services. He was particularly concerned that the Administration would only head towards marketization and become totally dependent on private organizations for provision of elderly services. He sought explanation on the current work progress of the Working Group and the way forward for the development of elderly services.

45. Permanent Secretary for Labour and Welfare ("PS(LW)) responded that the introduction of ESPP was a response to the requests and views raised by the stakeholders over the years in respect of elderly services. The formulation of ESPP commenced in 2014, and the report for the first stage (i.e. the Scoping Stage) had been published. The report had laid down a framework for the scope of ESPP, and the Elderly Commission ("EC") and the Working Group were considering 19 discussion topics under six discussion

themes identified under the framework, with a view to drawing up preliminary recommendations in the second stage (i.e. the "Formulation Stage") and engaging the public in the third stage (i.e. the "Consensus Building Stage"). It was the target of the Government to work out the vision for ESPP after reaching a consensus with the stakeholders, and to use ESPP as a blueprint for the development of elderly services up to 2030. She added that the Government would continue to take forward initiatives on elderly services along the direction of "active ageing" and long-term care, with emphasis on long-term planning and service sustainability of residential care homes for the elderly and the related manpower requirements.

46. Mr CHAN Chi-chuen asked when the Working Group would complete deliberation of all 19 discussion topics. He considered that the Consensus Building Stage might take longer time and queried whether the current timetable was realistic. Furthermore, he sought the Administration's explanation on how it could ensure timely implementation of the specific measures under ESPP.

47. PS(LW) remarked that the Formulation Stage had taken longer time than originally expected mainly because the Government had conducted a more extensive public engagement exercise. Currently, the Working Group had yet to consider four discussion topics. Meanwhile, the Subcommittee on Issues Relating to the Future Development of Elderly Services Schemes formed under LegCo's Panel on Welfare Services was deliberating on issues relating to ESPP. The work of the Subcommittee was expected to complete by June 2016. It was envisaged that the Working Group could formulate its recommendations by July 2016 the earliest, and commence the Consensus Building Stage in August to engage the public. The Government aimed to complete the public engagement exercise by the end of 2016 and submit a report for ESPP in the second quarter of 2017. She stressed that although it was difficult to control the actual time required for the public engagement exercise, the Government would make its best endeavours to solicit views of the stakeholders. The incumbent of the proposed post would formulate a framework and recommendations for implementing ESPP after submission of the aforementioned report.

48. The Chairman remarked that the Subcommittee would continue discussion on this item at the next meeting.

49. The meeting ended at 10:27 am.