

**立法會**  
**Legislative Council**

LC Paper No. CB(1)255/17-18  
(These minutes have been seen by  
the Administration)

Ref : CB1/SS/3/17/1

**Subcommittee on  
Antiquities and Monuments (Declaration of Monuments and  
Historical Buildings) (Consolidation) (Amendment) Notice 2017**

**Minutes of the first meeting on  
Tuesday, 31 October 2017, at 8:30 am  
in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon MA Fung-kwok, SBS, JP (Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon CHAN Chi-chuen  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon KWOK Wai-keung, JP  
Hon CHU Hoi-dick  
Dr Hon Junius HO Kwan-yiu, JP  
Hon Tanya CHAN  
Hon HUI Chi-fung  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP
- Members absent** : Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Hon CHUNG Kwok-pan
- Public officers attending** : Mr José YAM Ho-san  
Commissioner for Heritage  
Development Bureau

Ms Leonie LEE Hoi-lun  
Assistant Secretary (Heritage Conservation)<sup>3</sup>  
Development Bureau

Ms Susanna SIU Lai-kuen  
Executive Secretary (Antiquities and Monuments)  
Leisure and Cultural Services Department

Ms Christine MOK Yuk-ha  
Curator (Historical Buildings)<sup>2</sup> (Acting)  
Leisure and Cultural Services Department

**Clerk in attendance :** Ms Doris LO  
Chief Council Secretary (1)<sup>2</sup>

**Staff in attendance :** Mr Alvin CHUI  
Assistant Legal Adviser 3

Mr Raymond CHOW  
Senior Council Secretary (1)<sup>6</sup>

Ms Mandy LI  
Council Secretary (1)<sup>2</sup>

Ms Christina SHIU  
Legislative Assistant (1)<sup>2</sup>

Miss Joey LAW  
Clerical Assistant (1)<sup>2</sup>

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Action

**I Election of Chairman**

Mr Abraham SHEK, the member who had the highest precedence among those present at the meeting, presided over the election of the Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr LAU Kwok-fan nominated Mr MA Fung-kwok, and the nomination was seconded by Dr Junius HO. Mr MA Fung-kwok accepted the nomination.

Action

There being no other nominations, Mr MA Fung-kwok was declared the Chairman of the Subcommittee.

**II Meeting with the Administration**

(L.N. 170 of 2017

— Antiquities and Monuments  
(Declaration of Monuments  
and Historical Buildings)  
(Consolidation) (Amendment)  
Notice 2017

File Ref: DEVB/CHO/1B/CR 141 — Legislative Council Brief

LC Paper No. LS3/17-18 — Legal Service Division Report

LC Paper No. CB(1)139/17-18(01) — Marked-up copy of the  
Antiquities and Monuments  
(Declaration of Monuments  
and Historical Buildings)  
(Consolidation) (Amendment)  
Notice 2017 prepared by the  
Legal Service Division  
(*Restricted to members*)

LC Paper No. CB(1)139/17-18(02) — Background brief prepared by  
the Legislative Council  
Secretariat)

3. The Administration briefed members on the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2017 ("the Declaration Notice").

4. The Subcommittee deliberated (index of proceedings attached at **Appendix**).

Invitation of views

5. Members considered it not necessary for the Subcommittee to meet with deputations to receive public views on the Declaration Notice.

Action

Legislative timetable

6. The Chairman concluded that the Subcommittee had completed the scrutiny of the Declaration Notice, and would not propose any amendment to the Declaration Notice.

7. Members noted that to allow more time for the Subcommittee to report its deliberations to the House Committee, the Chairman would move a resolution to extend the scrutiny period to the Council meeting of 6 December 2017. If the scrutiny period was extended, the deadline for giving notice of amendments would be 29 November 2017. The Chairman would report the deliberations of the Subcommittee to the House Committee at its meeting on 24 November 2017.

*(Post-meeting note: The Chairman had given notice to move the proposed resolution at the Council meeting of 15 November 2017. When the Council meeting of 15 November 2017 was adjourned, the agenda on the proposed resolution was not reached. The scrutiny period for the Declaration Notice therefore expired at the Council meeting of 15 November 2017.)*

**III Any other business**

8. There being no other business, the meeting ended at 9:51 am.

Council Business Division 1  
Legislative Council Secretariat  
22 November 2017

**Proceedings of the first meeting of the  
Subcommittee on Antiquities and Monuments (Declaration of Monuments and  
Historical Buildings) (Consolidation) (Amendment) Notice 2017  
on Tuesday, 31 October 2017, at 8:30 am  
in Conference Room 3 of the Legislative Council Complex**

Time Marker	Speaker	Subject(s)	Action Required
<b>Agenda item I — Election of Chairman</b>			
000406 – 000535	Mr Abraham SHEK Mr LAU Kwok-fan Dr Junius HO Mr MA Fung-kwok	Mr MA Fung-kwok was elected as the Chairman of the Subcommittee	
<b>Agenda item II — Meeting with the Administration</b>			
000536 – 001154	Chairman Administration	Briefing by the Administration on the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2017 ("the Declaration Notice")	
001155 – 001750	Chairman Ms Tanya CHAN Administration	Enquiries on the mechanism for declaring graded historic buildings as monuments ("the monument declaration mechanism"); and concerns over the assessment progress of a historic building pending monument declaration  Remarks of the Chairman that individual cases other than the three historical buildings under scrutiny fell outside the purview of the Subcommittee; and members might follow up such other cases and broad policy issues at meetings of relevant panels	
001751 – 002328	Chairman Administration	Suggestions of an integrated approach for publicizing Kowloon Union Church together with the cluster of historic buildings in the area, and Yeung Hau Temple and its strong association with the Tai O Dragon Boat Water Parade	
002329 – 002723	Chairman Miss Alice MAK Administration	Expression of views that publicity programmes for built heritage should fully reflect the rich historical and cultural background of the historical buildings and the local community	

<b>Time Marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
002724 – 003430	Chairman Mr CHAN Chi-chuen Administration	Enquiries on the monument declaration mechanism, including the procedures involved and the factors that would affect the progress	
003431 – 004010	Chairman Mr KWOK Wai-keung Administration	Expression of support to the Declaration Notice; enquiries on the monument declaration mechanism, including the possibility of directly declaring a building as a monument without first grading it, and any faster track for monument declaration of particular types of buildings, such as religious buildings; and views on public education and engagement work relating to the conservation of built heritage	
004011 – 004632	Chairman Mr CHU Hoi-dick Administration	Enquiries on the monument declaration mechanism and the review progress for the existing 179 Grade 1 historic buildings	
004633 – 005200	Chairman Mr LAU Kwok-fan Administration	Suggestions that the Administration might purchase privately-owned historic buildings or offer land exchange to the owners concerned, taking in view that many of them would hesitate in giving consent to monument declaration proposals due to concerns over the high building maintenance costs involved	
005201 – 005831	Chairman Ms Tanya CHAN Administration	Enquiries on the criteria for determining whether a building had reached the extremely "high threshold" of monuments	
005832 – 010415	Chairman Mr CHU Hoi-dick Administration	Concerns over the protracted process involved in declaring graded historic buildings as monuments; and suggestion of providing more attractive economic incentives such as financial assistance to the private owners concerned	
010416 – 010830	Chairman Administration	Concerns over the impact on the Kowloon Union Church and its surrounding environment that might be brought about by a potential redevelopment at a site next to the Church	
010831 – 011300	Ms Tanya CHAN Administration Chairman	Concerns about the non-inclusion of the surrounding area and other buildings in the vicinity of Kowloon Union Church under the delineation of the Church as shown on Plan No. KM9818 deposited in the Land Registry in accordance with section 3(4) of the Antiquities	

Time Marker	Speaker	Subject(s)	Action Required
		<p>and Monuments Ordinance (Cap. 53) ("A&amp;MO") for the purpose of monument declaration</p> <p>Suggestions of adopting the "point-line-plane" approach for heritage conservation, and designating a special protected area to cover the conjunct Manse building (a Grade 3 historic building) of Kowloon Union Church and the cluster of other historic buildings in the neighbourhood</p>	
011301 – 011349	Chairman	Decision of the Subcommittee that invitation of public views would not be required	
<p><u>Examination of the provisions of the Declaration Notice</u>            [Marked-up copy of the Declaration Notice prepared by the Legal Service Division (LC Paper No. CB(1)139/17-18(01))]</p>			
011350 – 011559	Chairman Assistant Legal Adviser 3 ("ALA3") Administration	Advice of ALA3 regarding the legal effect of the Declaration Notice, and that no difficulties had been identified in the legal and drafting aspects of the Declaration Notice	
001600 – 012439	Chairman Ms Tanya CHAN Mr CHAN Chi-chuen Administration	Examination of the delineation of Tung Lin Kok Yuen and Yeung Hau Temple respectively on Plan Nos. HKM10171 and ISM2803 deposited in the Land Registry in accordance with section 3(4) of A&MO	
012440 – 012540	Chairman	Legislative timetable	
<p><b>Agenda item III — Any other business</b></p>			
012541 – 012618	Chairman	Concluding remarks	