

立法會

Legislative Council

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Ref : CB2/PL/HA

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

Purpose

This report which is made in accordance with Rule 77(14) of the Rules of Procedure of the Legislative Council ("LegCo") gives an account of the work of the Panel on Home Affairs ("the Panel") during the 2018-2019 legislative session.

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 30 members, with Hon KWOK Wai-keung and Hon AU Nok-hin elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

Culture, leisure and the arts

Promotional activities for the 10th anniversary of inscription of Cantonese opera onto Representative List of the Intangible Cultural Heritage of Humanity

4. The Panel discussed the major promotional activities to be held by the Government and relevant organizations for the 10th anniversary of the inscription of Cantonese opera onto the United Nations Educational, Scientific and Cultural Organization Representative List of the Intangible Cultural

Heritage of Humanity. Members noted with appreciation that a series of special and regular activities would be organized to promote the message of the 10th anniversary of the inscription of Cantonese opera. Members in general considered that Cantonese opera was a traditional culture of great significance in Hong Kong. To facilitate the transmission of Cantonese opera, some members suggested that the Administration should devote more resources to nurturing Cantonese opera talent and promoting education about Cantonese opera in school. Members were also concerned about the adequacy of performance venues for Cantonese opera in Hong Kong.

5. The Administration advised that the Government injected \$70 million to the Cantonese Opera Development Fund ("CODF") in 2018 to provide enhanced support for the development of Cantonese opera. Following the injection, CODF introduced new funding measures which included raising the funding ceiling under various funding schemes to encourage the production of more quality Cantonese opera performances, widening the funding scope to encourage local Cantonese opera troupes to perform outside Hong Kong, and opening applications for local primary and secondary schools to promote education about Chinese opera at school level. In addition, for the five years starting from 2018-2019, the Administration would provide \$140 million for the Leisure and Cultural Services Department ("LCSD") to support local art groups and artists to go on exchanges in the Greater Bay Area.

6. The Administration further advised that it was committed to providing adequate and suitable venues of various scales to support the transmission and development of Cantonese opera. The Xiqu Centre opened in January 2019 was a world-class venue specially designed to cater for the development of Chinese opera. Other new venues opened in recent years included the converted Yau Ma Tei Theatre ("YMTT") commissioned in 2012 and the New Wing Auditorium of the Ko Shan Theatre commissioned in 2014. YMTT was further planning its phase II development works to provide ancillary and expanded facilities for its Theatre so as to enhance YMTT's function as a venue dedicated to Chinese opera performances and the training of budding Cantonese opera artists.

7. Some members expressed concern about the high charging level of the Xiqu Centre. These members suggested that consideration should be given to providing funding support to the Cantonese opera troupes for staging performances in Xiqu Centre. The Administration advised that a number of performance venues were available for staging Cantonese opera (including the Grand Theatre of Xiqu Centre, the Hong Kong Cultural Centre, the Ko Shan Theatre and YMTT) and each of them had its own functions or positioning. For instance, YMTT was a cradle of budding artists for Cantonese opera while Xiqu Centre was positioned as a world-class venue specially designed for staging quality Chinese opera performances.

Development of a Smart Library System for Hong Kong Public Libraries

8. The Panel was consulted on the Administration's proposal to develop a Smart Library System ("the new system") for Hong Kong Public Libraries ("HKPL"). Members noted that the new system would replace the existing two major library information technology systems, with wider use of information and communications technology and self-service facilities enabled with Radio Frequency Identification ("RFID") technology. The new system would cover four aspects, namely physical library and material management; e-Library and e-Delivery services; internal operations and support; and the wider development of Hong Kong as a Smart City. Moreover, the new system would adopt cloud technology which allowed flexibility and scalability for future growth. Members in general expressed support for implementation of the new system to enhance the operation and efficiency of library services. Some members enquired how the new system would support the development of Hong Kong as a Smart City. They also expressed concern about the protection of patrons' personal data, including their e-IDs, when the big data of public libraries were shared as open data.

9. The Administration advised that the new system would support the development of Hong Kong as a Smart City by facilitating the capturing and analysis of big data which could be shared as Public Sector Information for use by both public and private sectors for analysis, research and innovative application. The Administration assured members that the privacy of patrons would be protected when relevant data were shared as open data. Some members suggested that key performance indicators should be formulated for evaluation of the new system. The Administration advised that it would study the formulation of effective key performance indicators for the new system in consultation with the Public Libraries Advisory Committee as appropriate.

10. Some members considered that the Administration should address the increasing demand of the public for extension of the opening hours of public libraries. The Administration explained that extension of library opening hours would entail a large amount of staff resources under the existing system and mode of operation. However, the Administration considered that the adoption of innovation and new technology supported by user-friendly facilities, such as RFID-enabled multi-functional self-service kiosks, would enable HKPL to explore extension of library hours in a more cost-effective way.

Replacement/upgrading of exhibits of Hong Kong Science Museum

11. The Panel was consulted on the Administration's proposal to launch a five-year programme for replacing/upgrading the exhibits of the Hong Kong Science Museum ("HKScM"). Some members expressed concern that many of the permanent exhibition galleries of HKScM had not undergone any major

renewal since HKScM's opening in 1991 and questioned if the estimated amount of required funding (i.e. \$20 million) was adequate for a genuine overhaul of the permanent exhibitions of HKScM to keep up with the latest scientific and technological advancements. These members requested the Administration to renew HKScM's permanent exhibition galleries at more regular intervals to replace outdated exhibits, with a view to sustaining its appeal to the public and keeping pace with technological change.

12. The Administration advised that renewal works of the permanent exhibition galleries had to be conducted in phases in order to avoid disruption to public attendance. According to the Administration, the proposed funding requirement was to cover the costs for replacing/upgrading selected exhibits in only five of the 16 permanent exhibition galleries, while the renewal of the remaining galleries would be funded separately. Moreover, the Administration was exploring expansion of HKScM in the long run, in order to make room for more innovative exhibits and conducting experimental workshops for visiting students. The Administration further advised that relevant bureaux and trades would be consulted on HKScM's renewal programme, while the Museum Advisory Committee and its subcommittees comprising experts from relevant fields would also offer advice.

Sports and recreation

Promotion of sports development in Hong Kong

13. The Panel has been monitoring closely the Government's work in promoting sports development in Hong Kong. The Panel discussed an update on the relevant initiatives in promoting sports in the community, supporting elite sports and developing Hong Kong into a centre for major international sports events. The Administration advised that to promote sports development, the Government had since 2017 invested over \$60 billion of new resources, including \$31.9 billion for the development of the Kai Tak Sports Park project, around \$20 billion for the construction of recreational and sports facilities in the 18 districts and around \$8 billion for the sustainable development of elite and community sports. In addition, the Government had been increasing its recurrent expenditure in support of sports development. The estimated expenditure for 2019-2020 was \$5.8 billion, representing an increase of about 16% over that of \$5 billion in 2018-2019.

14. Some members urged the Administration to develop a strong sporting culture in the community and to target people of different social strata, age groups and abilities in promoting community sports. The Administration advised that LCSD organized a wide variety of recreation and sports programmes in the 18 districts every year for various target groups to encourage the public to make regular exercise a habit. These activities included

community-level activities, the annual Sport for All Day, and the biennial Hong Kong Games, Corporate Games and Masters Games. In 2019-2020, LCSD would organize around 38 300 programmes for about 2.78 million participants. The Administration further advised that it was also committed to promoting school sports to encourage students to develop active and healthy lifestyles at an early age. Since 2001, LCSD had been implementing the School Sports Programme for students of primary, secondary and special schools in Hong Kong to participate in diversified sports activities.

15. Some members expressed particular concern about the development of football in Hong Kong and the implementation progress of the Hong Kong Football Association Five-Year Strategic Plan. There was a suggestion that the Administration should make arrangements for live broadcast of local sports events (including the Hong Kong Premier League football matches) on the Radio Television Hong Kong. The Panel further passed a motion urging the Government to encourage sponsorships for local sports including soccer matches from business and private sectors by introducing tax concessions and enhancing cooperation with the business sector through the launch of a matching grant. The Administration advised that the suggestions would be relayed to the relevant bureaux for consideration. The Panel has planned to convene a further meeting to receive public views on the development of football in Hong Kong.

Participation in sports by persons with disabilities

16. The Panel discussed the progress of various measures implemented by LCSD and the Home Affairs Bureau ("HAB") to support athletes with disabilities ("AWDs") and to promote participation in sports by persons with disabilities ("PWDs"). Members noted that the relevant key measures were broadly categorized into several areas, namely developing elite sports, promoting sports participation by PWDs, updating the structure of sports organizations for PWDs and capacity building. Some members were concerned that many high-performance AWDs had reservations in becoming full-time athletes. They suggested that the Administration should address AWDs' concerns and put in place measures to groom and attract more high-performance AWDs to become full-time athletes.

17. The Administration advised that the Government was in full support of AWDs. In December 2017, the Administration introduced a full-time athlete system for disability sports and launched the Pilot Scheme for Elite Vote Support System for Disability Sports ("the Pilot Scheme"), with the 2018 Asian Para Games ("APG") as a testing ground. Under the support of the Pilot Scheme, the Hong Kong team won a record-breaking total of 48 medals (including 11 gold, 16 silver and 21 bronze) in the 2018 APG. A review of the Pilot Scheme was underway which would, among others, take into account the views of AWDs. The Administration noted that based on the feedback from relevant

sports organizations and AWDs so far, there were different reasons for them not becoming full-time athletes. For example, some AWDs were not confident to attain the required sports performance levels while some did not want to commit to full-time training.

18. Some members considered that the Administration should put in more efforts in helping PWDs to develop a healthy sporting habit, and to facilitate them to enrol in sports activities and to book sports facilities. The Administration advised that LCSD launched a dedicated webpage of "Information for Persons with Disabilities (Recreation & Sports Programmes/Facilities)" on its website since September 2017, offering a one-stop information platform for PWDs. Moreover, the new intelligent sports and recreation services booking and information system under development, which would replace the Leisure Link System, would facilitate members of the public, including PWDs, in booking venues and enrolling in sports and recreation activities. The Administration further advised that it would collaborate with relevant NSAs and special schools to arrange sports activities for various types of PWDs.

19. Some members suggested that the outreach recreation and sports programmes which included sports activities that could be easily conducted in the physical setting of the workshops and centres for PWDs should be extended to more of these workshops and centres. The Administration advised that the initial phase of the outreach programmes, which provided training to persons with intellectual disability, was well received. LCSD would extend the outreach programmes to more workshops and centres for PWDs in 2019-2020 to cater for those with physical disability, visual impairment or hearing impairment.

Use and management of public pleasure grounds

20. The Panel was consulted on the Administration's proposal to amend the Pleasure Grounds Regulation (Cap. 132BC) with a view to addressing public demand for proper and effective control of noise nuisance caused by singing groups in public pleasure grounds ("PPG") managed by LCSD. The Administration advised that under the proposal, the term "user thereof" would be replaced with "person" in section 25 of Cap. 132BC such that venue users, LCSD venue staff and any other persons (including nearby residents) who were annoyed by the noise might act as prosecution witnesses in LCSD's enforcement action, thereby making the prosecution more proactive.

21. While members in general supported the proposed amendment, some members expressed concern that the maximum penalty for breach of section 25 of Cap. 132BC, currently pitched at a fine at level 1 (\$2,000) and imprisonment for 14 days, was too low to achieve sufficient deterrent effect. In particular, some members pointed out that the tipping from members of the public (e.g. in

the form of "lai see") to the performers might have by far exceeded the penalty under section 25 of Cap. 132BC. These members considered that the penalty level should be raised to enhance the deterrent effect. The Administration advised that at present, Cap. 132BC and other legislation did not prohibit members of the public from tipping others in form of "lai see" in parks. Hence, performers who accepted "lai see" from members of the public in parks were not in breach of the law. That said, the Administration advised that it was open-minded to the suggestion of increasing the penalty level and would actively study it.

22. Concern was also raised by some members about the criteria adopted by LCSD in determining whether a performing group had caused noise nuisance. The Administration advised that LCSD had provided staff with necessary training and guidelines for monitoring and regulating noise arising from activities carried out at outdoor leisure venues. In drawing up the guidelines, reference had been made to the Noise Control Ordinance (Cap. 400) and objective criteria were also adopted as far as possible. The Administration further advised that LCSD would seek legal advice in improving the existing guidelines as appropriate.

23. Members noted with concern that the plans of certain PPGs had not been deposited in the Land Registry ("LR") in accordance with the relevant section of the Public Health and Municipal Services Ordinance (Cap. 132) as reported by the media. As a result, law enforcement actions of the Smoking (Public Health) Ordinance (Cap. 371), the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600), Cap 132BC and the Bathing Beaches Regulation (Cap. 132E) were temporarily suspended in PPGs.

24. The Administration explained that it had recently come to the notice of LCSD that there were differences in the wording of the English language text and the Chinese language text of the definition of "PPG" as stipulated in section 2 of Cap. 132, which might give rise to ambiguities as to whether or not a plan must be deposited in LR for the venue concerned to be PPG. The Administration explained that to err on the side of caution, LCSD considered it prudent to temporarily suspend law enforcement of related legislation in the venues concerned to avoid doubt until the plans for respective PPGs were deposited. However, the frontline staff of the venues would continue to administer advice to persons in breach of the relevant legislation. The Administration anticipated that the vast majority of the outstanding plans would be deposited in LR by June 2019. The Administration further advised that LCSD and the departments concerned had reviewed the plan deposit arrangement, strengthened inter-departmental cooperation and worked out a proper mechanism for the preparation of plans and their deposit in LR in future.

Review of the remuneration package for District Council members

25. The Panel was consulted on the Administration's proposals to enhance the remuneration package for District Council ("DC") members with effect from 1 January 2020. While members in general were supportive of the proposals, some members were concerned that given the exorbitant rent of private premises, the proposed increase in Operating Expenses Reimbursement ("OER") by 8.5% could not effectively address the difficulties of DC members who had to rent private premises as ward offices. Besides, members were generally of the view that more financial resources should be provided to DC members for attracting and retaining assistants with suitable experience and caliber. While some members expressed support for abolishing the one-third reduction in the honorarium for DC members with concurrent membership as Executive Council ("ExCo") and/or LegCo Members, some other members suggested that the Administration should give consideration to providing a larger increment to OER to enable DC members to meet all operation-related expenses.

26. The Administration explained that OER was a lump sum provision for DC members to cover expenses arising from discharging their DC functions and duties. DC members could deploy their OER flexibly according to their operational needs. The Administration advised that the rate of OER had been substantially increased in 2011 and 2014 respectively and it was now proposed to be further increased by 8.5%, taking into consideration factors including the market trend and relevant market indicators for rent and wages. The Administration considered that the OER provision was enough to meet the operation-related expenses of most DC members.

27. The Administration also proposed to provide a separate component with no pre-set ceiling under the accountable Winding-up Expenses Reimbursement, payable on the basis of the actual severance payment ("SP") paid in accordance with the provisions of the Employment Ordinance (Cap. 57) to staff employed by DC members. Members in general expressed support for the proposal as they noted that the proposed arrangement was in line with the practice of LegCo and sought to cover actual statutory SP for staff employed by DC members.

Community Care Fund

28. The Panel discussed the work progress of the Community Care Fund ("CCF") at its two meetings in the current legislative session. Members were pleased to note that since its establishment, CCF had launched 47 assistance programmes (up to May 2019) covering the medical, education, welfare, home affairs and housing areas for various target beneficiary groups including children, elderly persons and PWDs, etc. The total commitment was over \$9.5 billion. In May 2019, CCF Task Force proposed to launch a new programme to provide one-off subsidy to low-income households residing in sub-divided units ("SDU")

to improve their living environment ("the proposed programme") through carrying out minor improvement and repair works, purchasing furniture or equipment and pest control services, etc. Moreover, the proposed programme would help them connect with community resources and acquire appropriate support. The upper subsidy limits were \$8,500 for one-person households and \$10,000 for two-or-more-person households.

29. While members in general expressed support for the proposed programme, some members expressed concern as to whether the proposed upper subsidy limits were too tight to bring about genuine improvements to the living environment of the SDU households concerned. These members also considered it inappropriate to impose the same upper subsidy limit of \$10,000 on all households of two persons or more. They suggested that consideration might be given to introducing tiered upper subsidy limits for households of different sizes so that the subsidy limits could be increased according to the household size. A motion for this purpose was passed by the Panel, which further urged that in implementing the proposed programme, the Government must streamline the application procedures and waive the asset test, so as to benefit more SDU households. The Chairman of CCF Task Force advised that the Hong Kong Council of Social Service would be entrusted as a coordinator to partner with non-governmental organizations ("NGOs") as agents to assist in the implementation of the proposed programme. Two-tier subsidy limits were initially proposed having regard to the general sizes of SDU households in Hong Kong. The Chairman of CCF Task Force further advised that under the proposed programme, NGOs would also mobilize volunteers to provide necessary assistance and support for the needy SDU households.

30. Referring to the motion on "enacting legislation to protect the rights and interests of rare disease patients" passed by LegCo on 23 January 2019, some members enquired about the actions taken by CCF in response to the motion and whether the subsidies for the drug costs borne by rare disease patients would be enhanced.

31. The Chairman of CCF Task Force and representatives the Hospital Authority ("HA") advised that CCF had implemented the Medical Assistance Programmes, namely the Subsidy for Eligible Patients to Purchase Ultra-expensive Drugs (including those for treating uncommon disorders) Programme, to help needy patients of HA. Suitable drugs would be recommended to be covered by this Programme having regard to the safety and efficacy of the relevant drugs and other relevant considerations. Around \$70 million had been reserved to cover the treatment costs of around 24 patients with spinal muscular atrophy. If any additional funding was required to cover the costs of ultra-expensive drugs to treat uncommon disorders of needy patients, HA would submit proposals to the CCF Task Force for consideration. Some members expressed concern as to whether the CCF Medical Assistance Programmes were

only implemented on a pilot basis and might be discontinued in the future. The Chairman of CCF Task Force assured members that the Medical Assistance Programmes would only be discontinued when the relevant drugs or medical devices were brought into the Samaritan Fund safety net or covered by the Government's regular assistance programmes. As such, the patients concerned would not be affected.

New policy on Private Recreational Leases

32. An inter-departmental working group ("the Working Group") was set up by HAB in 2014 to conduct a comprehensive review of the policy of Private Recreational Leases ("PRLs"). Upon completion of the review, a six-month public consultation exercise on the review of PRL policy was launched on 20 March 2018. In the current legislative session, the Panel discussed the outcome of the public consultation and the new policy on PRLs approved by ExCo. The Administration advised that under the new policy on PRLs, the Government would take into account various factors, including the contribution of the private sports clubs in promoting sports development in Hong Kong, and their commitment to opening up their facilities to eligible outside bodies and to enhancing their corporate governance, when considering the renewal of PRLs in future.

33. While members in general supported that private sports clubs should be required to open up their facilities to eligible outside bodies up to 30% of their total sports capacity ("the 30% requirement") and partner with sports organizations to organize sports programmes for enrolment by members of the public with a minimum of 240 sports programme hours per month ("the 240-hour requirement"), some members expressed concern as to whether there would be an effective monitoring mechanism to ensure that these requirements were met. The Administration advised that the requirements on opening-up would be stipulated as the lease conditions in future. The Administration further advised that monitoring of the private sports clubs would be strengthened and appropriate lease enforcement actions would be taken if a private sports club was found to be in breach of the lease conditions.

34. Some members queried the justifications for charging a concessionary premium to be set at one-third only of the full market value ("FMV") land premium when the PRLs of private sports clubs were renewed in 2026 and afterwards. These members criticized that this was tantamount to subsidizing the recreation of a handful of members with public funds. There was a suggestion that the level of concessionary land premium charged to a private sports club should be set based on the extent of its opening-up of facilities to outside users. The Administration explained that the private sports clubs were operating on a non-profit-making basis. Any income in excess was ploughed back for maintenance and operation of their facilities. In future, apart from

paying the one-third FMV land premium (which could amount to over \$100 million in certain cases) on top of their daily operational expenditures, private sports clubs would also have to put in resources to implement other requirements under the new PRL policy (e.g. the 30% requirement and the 240-hour requirement). The Administration advised that private sports clubs had invested significant amounts in developing the sports and recreational facilities on their sites over the years, and quite a number of them had been in operation for several decades and some even over a century. Taking into account a basket of factors including those mentioned above, the Administration considered it appropriate to charge one-third FMV land premium under the new PRL policy.

35. Members also expressed diverse views regarding the resumption of the 32 hectares of land east of Fan Kam Road of the Fanling Golf Course ("FGC") for the purpose of housing development. Members noted that a special three-year hold-over arrangement would be made for the 32 hectares of land upon expiry of the current lease of FGC in August 2020, after which it would be reverted to the Government. While some members were of the view that the current usage of the FGC site should be maintained, some other members considered that the entire site of FGC should be resumed for housing development to address the imminent housing needs of Hong Kong people. The Administration advised that FGC had made notable contributions to the development of golf in Hong Kong, and in drawing up the new PRL policy, the Government and ExCo had considered and balanced the views regarding the PRL policy and the land supply in Hong Kong in a holistic manner with a view to maximizing benefits to society.

Sale of tickets for events held at venues of Leisure and Cultural Services Department

36. Problems relating to unauthorized profiteering activities on resale of tickets (commonly known as "ticket scalping activities") for popular performance events had become a concern of the public in recent years. The Panel discussed the existing measures taken by the Administration to alleviate ticket scalping activities for events held at venues of LCSD and other options that could be considered for future implementation to regulate or prohibit such activities.

37. Members in general supported the enactment of appropriate legislation to prohibit ticket scalping activities for events held at venues of LCSD, including the Hong Kong Coliseum ("HKC") and the Queen Elizabeth Stadium ("QES"). They also considered that the penalty level for ticket scalping activities should be significantly increased as the current fine level (\$2,000) under section 6 of the Places of Public Entertainment Ordinance (Cap. 172) ("PPEO") in relation to unauthorized sale of tickets was too low to achieve any deterrent effect. Concern was also raised by some members about measures to combat ticket scalping activities conducted online and ticket purchasing activities by

automated computer programmes (commonly referred to as "bots"). The Administration advised that in addition to amending PPEO to extend its scope of coverage to LCSD venues, other proposals under consideration included amending Cap. 132 and the Summary Offences Ordinance (Cap. 228) so that the possibility of imprisonment, in addition to a fine, as penalty option for the court to consider was also being explored. The Administration further advised that LCSD had been constantly discussing with the service provider of URBTIX to enhance the system functions of URBTIX so as to prevent online ticket purchasing activities by bots. The Administration further advised that for programmes that were expected to be more popular among the public, URBTIX would proactively discuss with the organizers concerned to set an upper limit on the number of tickets a patron could purchase in a single transaction or with the same credit card on the first day of public sale.

38. Some members considered that the current maximum consignment ticket ratio (i.e. 80%) for HKC and QES was far too high and they supported lowering the ratio so that more tickets would be available for public sale. However, some other members were of the view that the performing industry would need flexibility in selling tickets and in the absence of effective measures to combat ticket scalping activities, the mere increase in the supply of tickets available for public sale would not effectively combat ticket speculation. The Administration advised that it would seek to strike a balance between the interests of the performing industry and the general public and would move forward to increase the supply of tickets to the public by lowering the consignment ticket ratio gradually. In respect of the suggestion of "personalized ticketing", some members expressed reservations about its adoption owing to concerns about the increased cost to programme organizers and the inconvenience brought to the audience. Some other members, however, considered that this option could also be explored.

39. The Administration advised that it would take into consideration the views and suggestions of members, the performing industry and relevant stakeholders, and would continue to deliberate with the Department of Justice on proposals that were both legally and practically sound and solid. The Administration has proposed to consult the Panel as soon as possible on a legislative proposal for tackling ticket scalping activities.

Licensing regime proposed by the Property Management Services Authority

40. Members noted that under the Property Management Services Ordinance (Cap. 626) ("PMSO"), a property management company ("PMC") had to fulfill all the licensing criteria, including the minimum number of employees holding property management practitioner ("PMP") licences, the suitability of the company in holding PMC licence, etc., which were to be set out in the subsidiary legislation for the licensing regime to be made by the Property

Management Services Authority ("PMSA"). PMSA conducted public consultation on its proposals for the licensing regime for PMCs in November 2018, and consulted the Panel on the proposals in June 2019.

41. Members noted that PMSO provided for a two-tier licensing regime of PMPs.¹ Only those PMPs who took up a supervisory or managerial role in the provision of property management services ("PMSs") in PMC would be subject to licensing. Frontline staff would not be required to obtain PMP licences. The qualification requirements for the first tier of PMPs would be higher than that for the second tier of PMPs. As explained by PMSA, such a two-tier system would help encourage PMPs to pursue professional development and upgrade to the upper tier, while continuing to allow PMPs with a lower level of qualifications to have access to the job market.

42. Members in general considered it necessary for PMSA to strike the right balance between the regulatory requirements and facilitating the development of the trade in formulating its proposals. However, members noted that concern had been expressed by PMS professional bodies about the proposed licensing regime, such as the lack of licensing criteria in terms of academic qualifications, professional qualifications and years of working experience, in the draft Property Management Services (Licensing and Related Matters) Regulation (Cap. 626 sub. Leg. B) submitted by PMSA to the Panel. These members urged PMSA to consult the trade as soon as practicable in respect of the licensing criteria and allow ample time for discussion between the trade and the authorities for reaching a consensus, before submitting the relevant subsidiary legislation to LegCo for scrutiny. The Panel further passed two motions expressing the above concern and requests. PMSA undertook to follow up and take into full account the views of all stakeholders concerned in finalizing the draft subsidiary legislation.

Other issues

43. The Panel also received a briefing by the Secretary for Home Affairs on the Chief Executive's 2018 Policy Address. Moreover, the Panel was consulted on funding proposals on:

- (a) setting up a virtual reality/augmented reality/mixed reality research laboratory in the School of Theatre and Entertainment Arts of the Hong Kong Academy for Performing Arts;

¹ According to section 6 of PMSO, a person with PMP (Tier 1) licence may describe himself or herself as a "registered professional property manager" and a person with PMP (Tier 2) licence may describe himself or herself as a "licensed property management officer". PMSA may, according to section 15 of PMSO, prescribe by regulation the criteria for holding a licence, and may impose more stringent requirements for PMP (Tier 1) licence.

- (b) providing a Community Hall-cum-Home Affairs Enquiry Centre in Cheung Chau;
- (c) providing a district library and residential care home for the elderly in the Joint User Complex at Lei King Road;
- (d) development of Hoi Sham Park Extension in Kowloon City District; and
- (e) proposed injection into the Hong Kong Athletes Fund.

Meetings held

44. From October 2018 to July 2019, the Panel held a total of 10 meetings.

Council Business Division 2
Legislative Council Secretariat
11 July 2019

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 2018-2019 session*

Chairman	Hon KWOK Wai-keung, JP
Deputy Chairman	Hon AU Nok-hin
Members	Hon Claudia MO Hon Steven HO Chun-yin, BBS Hon YIU Si-wing, BBS Hon MA Fung-kwok, SBS, JP Hon CHAN Chi-chuen Hon LEUNG Che-cheung, SBS, MH, JP Hon Christopher CHEUNG Wah-fung, SBS, JP Dr Hon Fernando CHEUNG Chiu-hung Hon IP Kin-yuen Hon Alvin YEUNG Hon Andrew WAN Siu-kin Hon CHU Hoi-dick Hon Jimmy NG Wing-ka, BBS, JP Dr Hon Junius HO Kwan-yiu, JP Hon Holden CHOW Ho-ding Hon SHIU Ka-fai, JP Hon SHIU Ka-chun Hon Wilson OR Chong-shing, MH Hon YUNG Hoi-yan, JP Dr Hon Pierre CHAN Hon Tanya CHAN Hon HUI Chi-fung Hon LUK Chung-hung, JP Hon LAU Kwok-fan, MH Hon Kenneth LAU Ip-keung, BBS, MH, JP Hon KWONG Chun-yu Hon Vincent CHENG Wing-shun, MH, JP Hon Tony TSE Wai-chuen, BBS

(Total : 30 members)

Clerk Ms Joanne MAK

Legal Adviser Miss Evelyn LEE

Date 11 July 2019

* Changes in membership are shown in Annex.

Annex to Appendix II

Panel on Home Affairs

Changes in membership

Member	Relevant date
Hon WONG Ting-kwong, GBS, JP	Up to 15 October 2018
Hon Starry LEE Wai-king, SBS, JP	Up to 15 October 2018
Hon CHAN Han-pan, BBS, JP	Up to 15 October 2018
Hon POON Siu-ping, BBS, MH	Up to 15 October 2018
Hon Abraham SHEK Lai-him, GBS, JP	Up to 17 October 2018
Hon WONG Kwok-kin, SBS, JP	Up to 17 October 2018
Hon HO Kai-ming	Up to 17 October 2018
Hon CHEUNG Kwok-kwan, JP	Up to 17 October 2018
Hon CHAN Hak-kan, BBS, JP	Up to 20 January 2019
Hon Frankie YICK Chi-ming, SBS, JP	Up to 20 January 2019
Hon CHAN Chun-ying, JP	Up to 20 January 2019
Hon Jeffrey LAM Kin-fung, GBS, JP	Up to 28 January 2019
Hon Alvin YEUNG	Since 27 May 2019