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Panel on Home Affairs

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 13 July 2020**

**Review of the Sports Subvention Scheme and the governance
of "national sports associations"**

Purpose

This paper summarizes the past discussion of the Panel on Home Affairs ("the Panel") on issues relating to the Sports Subvention Scheme ("SSS") and the governance of "national sports associations" ("NSAs").

Background

2. NSAs are the local governing bodies of individual sports and are responsible for the promotion and development of their respective sports in Hong Kong. Affiliated to their respective international federations and as members of the Sports Federation & Olympic Committee of Hong Kong, China ("SF&OC"), NSAs represent Hong Kong in international events of the respective sports and play an important role in the sports development.

3. The Leisure and Cultural Services Department ("LCSD") provides subvention for eligible NSAs through SSS to promote and develop their respective sports by, among other things, participating in international sports events and squad training programmes, organizing schools sports programmes/training programmes/the Community Sports Club Project/local competitions, and providing training for officials and attending international sports conferences. The amounts of subvention provided by LCSD under SSS for 60 subvented NSAs from 2015-2016 to 2019-2020 are set out in **Appendix I**.

4. According to the Administration, LCSD commenced a comprehensive review of SSS in mid-2018 with a view to identifying areas for improvement and enhancing the corporate governance of NSAs.¹ Based on the review

¹ Please refer to **Appendix II** for more details of the review of SSS.

findings and views collected, LCSD would draw up practical measures to optimize the administration of SSS and formulate strategies to enhance the corporate governance of NSAs.

5. At the policy briefing on 4 November 2019, the Administration informed the Panel that to support the further development of sports in Hong Kong, the Government would increase the yearly subvention for SF&OC and the 60 NSAs progressively from about \$300 million to more than \$500 million. The Administration advised that the additional allocation for NSAs aimed to, among other things, enhance the corporate governance of NSAs. In addition, one of the aims of the additional subvention for SF&OC included setting up of a task force to review the operation and internal monitoring mechanism of NSAs with an aim to enhancing their corporate governance and the transparency of their operation.

Deliberations of the Panel

Governance and monitoring of "national sports associations"

6. Members expressed grave concern about the governance and monitoring of NSAs. Noting that the Independent Commission Against Corruption ("ICAC") had drawn up Best Practice Reference for Governance of National Sports Associations ("BPR") in consultation with the Home Affairs Bureau, LCSD and some NSAs, some members expressed concern about the implementation progress of BPR by NSAs. They suggested that the Administration should put in place a mechanism for monitoring of NSAs, e.g. requiring NSAs to upload their financial statements, information on eligibility for membership and membership fees onto their websites. There was also a suggestion that the Administration should review the governance, funding mechanism and operation of various NSAs.

7. The Administration advised that it attached great importance to assisting NSAs in enhancing their internal governance. To monitor their use of public funding, NSAs were required to sign a subvention agreement with LCSD under SSS and report to LCSD the expenditure position and activity progress at regular intervals. LCSD also conducted on-the-spot quality assurance inspections to check NSAs' compliance with the terms and conditions in the subvention agreement. Besides, LCSD and ICAC would join hands to approach all NSAs proactively to provide tailor-made advice and services to help individual NSAs to implement the measures recommended in BPR according to their individual needs and mode of operation. NSAs were encouraged to implement the best practices in BPR, in particular those relating to enhancement of transparency, selection of athletes, procurement, declaration of interests and uploading of audited financial statements onto their websites.

Selection of athletes for participation in international events

8. Some members raised concern about complaints that the selection of athletes by NSAs for participation in international sports events was unfair. These members enquired about the measures in place to safeguard the fairness and transparency of the selection process.

9. The Administration advised that the selection of Hong Kong athletes to compete in international events, such as the Olympic Games, was the prerogative of SF&OC, which had an established mechanism for selection of athletes through its member NSAs. As each NSA had its own established mechanism for selection of athletes, it would not be appropriate for the Administration to interfere with the operation of the mechanism. However, NSAs were required to ensure that their selection mechanism and criteria were fair and transparent. If complaints were received regarding the selection process, the Administration would investigate and follow up the complaints with the NSAs concerned.

Sports Subvention Scheme

10. Members enquired whether the Administration would provide more funding for NSAs through SSS to enable NSAs to nurture more outstanding junior athletes for squad training. The Administration advised that in determining the amount of subvention provided for NSAs under SSS, LCSD would consider the training needs and the number of participants of the sports concerned.

11. Some members sought details of the Administration's measures to support and promote the development of emerging new sports (e.g. e-sports) which were not covered by SSS. The Administration advised that it had provided support for the promotion and development of various sports through respective NSAs. Any individuals/organizations interested in establishing an NSA for a particular sport, including emerging new sports, might submit applications to SF&OC in accordance with the established procedures.

12. Some members requested the Administration to consult the relevant NSAs and sports organizations on measures to enhance SSS and on improving the remuneration packages for sports administrators. The Administration advised that it would consult relevant stakeholders for their views on how to enhance SSS. The Administration also hoped that by strengthening the governance of and increasing the resources for NSAs, NSAs would be in a better position to attract and retain talents.

Relevant Legislative Council questions

13. At the Council meeting of 24 October 2018, Hon LAM Cheuk-ting raised an oral question on "Selection of athletes representing Hong Kong to participate in international sports event". The question and the Administration's reply are in **Appendix III**. At the Council meeting of 10 January 2018, Hon POON Siu-ping raised an oral question on "Granting authorized absence to part-time athletes for participating as a representative of Hong Kong in sporting events". The question and the Administration's reply are in **Appendix IV**.

Latest development

14. The Administration will brief the Panel on the findings of the review of SSS and measures to enhance the governance of NSAs at the next meeting on 13 July 2020.

Relevant papers

15. A list of the relevant papers on the Legislative Council website is in **Appendix V**.

Council Business Division 2
Legislative Council Secretariat
9 July 2020

Annex I to Reply Serial No. HAB175**Subvention to NSAs under the SSS from 2015-16 to 2019-20**

	NSAs	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)	2019-20 (\$'000)
1.	Hong Kong Archery Association	2,164	2,228	2,288	2,726	4,606
2.	Hong Kong Amateur Athletic Association Limited	5,431	5,656	5,871	6,840	7,487
3.	Hong Kong Badminton Association Limited	14,363	14,868	15,264	17,350	16,999
4.	The Hong Kong Baseball Association Limited	4,818	4,964	5,196	5,597	6,917
5.	Hong Kong Basketball Association Limited	10,212	11,438	11,281	12,511	13,354
6.	Hong Kong Billiard Sports Control Council Company Limited	2,210	2,318	2,444	3,066	3,556
7.	Hong Kong China Bodybuilding and Fitness Association	1,153	1,186	1,219	1,489	2,028
8.	Hong Kong Boxing Association Limited	1,407	1,507	1,521	1,625	2,415
9.	The Hong Kong Canoe Union Limited	3,549	3,630	3,788	4,158	5,632
10.	Hong Kong Chinese Martial Arts Dragon and Lion Dance Association Limited	2,775	2,121	2,781	2,400	3,892
11.	Cricket Hong Kong	3,252	3,323	3,437	3,854	5,512
12.	The Cycling Association of Hong Kong, China Limited	7,643	9,201	12,644	10,913	12,504
13.	Hong Kong DanceSport Association Limited	4,076	3,666	4,451	4,220	5,065
14.	Hong Kong China Dragon Boat Association	2,348	2,444	2,473	2,805	3,787
15.	Hong Kong Equestrian Federation	2,451	2,555	2,621	2,952	3,478
16.	Hong Kong Fencing Association	5,270	5,496	5,706	6,253	7,302
17.	The Hong Kong Football Association Limited	18,711	19,087	19,665	19,852	20,894
18.	Hong Kong, China Gateball Association Co. Limited	1,863	1,902	1,936	2,193	2,680
19.	Hong Kong Golf Association Limited	1,934	1,970	2,002	2,324	3,022
20.	The Gymnastics Association of Hong Kong, China	4,713	4,769	4,890	5,311	6,618
21.	Handball Association of Hong Kong, China Limited	6,191	6,368	6,522	7,336	8,177
22.	The Hong Kong Hockey Association	2,808	2,871	2,937	3,215	4,589
23.	Hong Kong Ice Hockey Association Limited	1,651	1,738	1,847	2,380	4,025
24.	The Judo Association of Hong Kong, China	3,147	3,308	3,516	4,005	4,887
25.	The Karatedo Federation of Hong Kong, China Limited	1,970	1,781	1,823	2,027	2,575
26.	Hong Kong Kart Club Limited	697	712	863	1,127	2,334

	NSAs	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)	2019-20 (\$'000)
27.	Hong Kong Kendo Association Limited	1,081	1,013	1,039	1,439	1,890
28.	Hong Kong China Korfball Association Limited ^{Note}	N.A.	N.A.	1,367	1,518	2,467
29.	Hong Kong Lawn Bowls Association	2,783	2,871	2,953	3,274	4,263
30.	The Hong Kong Life Saving Society	4,759	4,713	4,702	5,416	6,340
31.	China Hong Kong Mountaineering and Climbing Union Limited	3,192	3,344	3,450	4,042	4,907
32.	Hong Kong Muay-Thai Association Limited	868	1,439	1,272	1,603	2,268
33.	Hong Kong Netball Association Limited	1,382	1,483	1,528	1,870	2,486
34.	Orienteering Association of Hong Kong Limited	3,119	3,174	3,287	3,625	5,426
35.	Hong Kong Federation of Roller Sports Limited	2,370	2,431	2,951	3,372	3,963
36.	Hong Kong, China Rowing Association	5,940	6,337	6,608	7,367	8,697
37.	Hong Kong Rugby Union	4,952	5,075	5,193	5,551	7,685
38.	Hong Kong Sailing Federation	1,317	1,103	1,145	1,646	2,561
39.	The Hong Kong Schools Sports Federation	7,038	7,172	7,453	7,607	8,677
40.	Hong Kong Shooting Association	2,897	2,977	3,048	3,432	5,193
41.	Hong Kong Shuttlecock Association Limited	1,411	1,285	1,406	1,670	2,788
42.	Hong Kong Skating Union Limited	1,521	1,555	1,597	1,675	2,056
43.	Hong Kong Softball Association	2,259	2,298	2,603	2,689	3,976
44.	Hong Kong Sports Association of the Deaf Company Limited	907	966	1,303	1,771	2,445
45.	Hong Kong Sports Association for Persons with Intellectual Disability	7,445	7,890	8,216	9,360	11,368
46.	Hong Kong Paralympic Committee & Sports Association for the Physically Disabled	8,086	8,320	8,645	8,274	8,987
47.	Hong Kong Squash	11,857	12,760	12,795	13,902	15,506
48.	Hong Kong Amateur Swimming Association	9,569	9,804	10,100	10,509	12,110
49.	The Hong Kong Table Tennis Association Limited	11,340	13,718	12,776	16,351	19,071
50.	Hong Kong Taekwondo Association Limited	2,305	2,362	2,419	2,888	3,513
51.	The Hong Kong Tennis Association Limited	12,833	10,464	11,378	12,459	13,428
52.	Hong Kong Tenpin Bowling Congress Limited	2,457	2,412	2,508	2,937	3,369
53.	Hong Kong Triathlon Association Limited	3,357	4,551	4,759	3,781	4,729
54.	Hong Kong Underwater Association Limited	1,180	1,216	1,277	1,286	1,623

	NSAs	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)	2019-20 (\$'000)
55.	The University Sports Federation of Hong Kong, China Limited	1,094	1,100	1,322	1,157	1,699
56.	Volleyball Association of Hong Kong, China Limited	9,776	10,389	10,950	11,863	14,268
57.	Hong Kong Water Ski Association Limited	786	797	815	1,170	1,582
58.	The Hong Kong Weightlifting and Powerlifting Association Limited	1,329	1,072	1,114	1,383	1,965
59.	Windsurfing Association of Hong Kong	7,241	7,457	7,691	7,911	9,729
60.	Hong Kong Wushu Union Limited	3,771	3,901	3,952	4,276	4,828

Note Starting from 2017-18, Hong Kong China Korfball Association Limited has become a subvented NSA.

Source: The Administration's replies to Members' initial questions raised during the examination of the draft Estimates of Expenditure 2020-2021 by the Finance Committee



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6 March 2019

Clerk to the Panel on Home Affairs
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms Joanne MAK)

Dear Ms Mak,

**Panel on Home Affairs
Letter from Hon Andrew WAN**

Thank you for your letter of 13 February 2019 to the Secretary for Home Affairs regarding the letter from Hon Andrew WAN on the review of the Sports Subvention Scheme.

To support the promotion and development of sports in the community, the Leisure and Cultural Services Department (LCSD) provides subvention to “national sports associations” (NSAs) through the Sports Subvention Scheme (SSS). NSAs may use the subvention to cover the personnel, office and programme expenses. Subvention is also provided to eligible sports organisations (SOs) through SSS to support their programme expenses on a project basis.

LCSD commenced a comprehensive review of SSS in mid-2018 with a view to identifying areas for improvement and enhancing the corporate governance of NSAs. The review mainly covers the following areas –

- (1) eligibility and guiding principles for providing funding to NSAs/SOs;
- (2) funding cycle and mechanism;
- (3) funding principles and subvention level;

- (4) ways to attract and retain talents in NSAs/SOs;
- (5) good corporate governance and best practices for internal control of NSAs/SOs; and
- (6) monitoring system.

The review is underway and expected to be completed by the end of 2019. Based on the review findings and views collected, LCSD will draw up practical measures to optimise the administration of SSS and formulate strategies to enhance the corporate governance of NSAs, including measures to ensure the proper use of the resources and facilities allocated to NSAs/SOs in order to meet the needs of sports development as well as public expectation. We will report the review findings to the Panel on Home Affairs of the Legislative Council in due course.

A summary on the improvement measures taken by LCSD to enhance the corporate governance of subvented NSAs in recent years is at **Annex** for your information. Thank you for your concern on sports subvention matters.

Yours sincerely,



(Paul CHENG)
for Secretary for Home Affairs

**Measures Taken by
the Leisure and Cultural Services Department to Enhance
the Corporate Governance of Subvented National Sports Associations**

The Leisure and Cultural Services Department (LCSD) has taken the following measures to enhance the corporate governance of the subvented “national sports associations” (NSAs) in recent years -

1. Providing internal guidelines on good practices

- Promulgated internal guidelines for NSAs to ensure timely follow-up on the recommendations made by the Quality Assurance Section of LCSD; and
- Provided a set of “Good practices of Internal Control for NSAs” which was compiled by the Independent Commission Against Corruption (ICAC) in 2011 to help NSAs improve their governance and internal controls against corruption.

2. Organising briefings and workshops for the NSAs

- Co-organised with ICAC a series of seminars for NSAs between 2011 and 2016 on topics including “Corporate Governance on NSAs”, “Selection of Athletes”, “Integrity Management and Internal Control”, “Integrity Management of NSAs”, “Management of Coaches and Umpires” and “Selection of Athletes & Administration of Membership” to help NSAs improve their management and internal controls; and
- Invited the Competition Commission to conduct a briefing on the Competition Ordinance for NSAs in 2016.

3. Strengthening the corporate governance of subvented NSAs

- To enhance the corporate governance and transparency of NSAs, and to protect the interest of NSAs and their members, all 60 subvented NSAs have completed their registration under the Companies Ordinance in accordance with the requirement of LCSD;
- Required all subvented NSAs to increase their transparency by uploading their Memorandum and Articles of Association/Articles of Associations, the latest audited financial statements in relation to the

subvention as well as athlete-selection information onto their official websites since 2013-14; and

- Revised the provisions in the Subvention Agreement by requiring the NSAs to (a) submit their audited annual accounts and (b) operate strictly according to their Memorandum and Articles of Association/Articles of Association.

4. Enhancing the monitoring of subvented NSAs

- Required all subvented NSAs to formulate and comply with the Accounting Procedures Guidelines and the Procurement Practices and Guidelines to avoid conflicts of interest since 2016-17;
- Conducted five seminars related to “Corporate Governance in National Sports Associations” including “New Companies Ordinance”, “Directors’ Duties & Fiduciary Duties”, “Board Practices”, “Finance for Directors of NGOs – NSAs”, etc. as induction training for all office-bearers and senior staff members of NSAs to get them familiarised with the responsibilities of NSAs’ board members since 2017; and
- To enhance the corporate governance of NSAs, LCSD continued organising the above-mentioned four core seminars and one topical seminar on “NSAs Crisis Management on PR Perspective” in 2018-19 to raise the awareness of the office bearers and management staff of NSAs of their roles and responsibilities in strategic planning, effective board practices and risk management so as to promote the sustainable sports development in Hong Kong.

5. “Output-based” approach for monitoring the use of subvention

- Adopted an "output-based" approach for NSAs to use the subvention more flexibly to enhance cost-effectiveness so long as they fulfil their commitment and comply with other broad funding principles in order to enhance the efficiency of both NSAs and LCSD in their operation.

Appendix III**Press Releases**

LCQ6: Selection of athletes representing Hong Kong to participate in international sports events

Following is a question by Hon Lam Cheuk-ting and a reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (October 24):

Question:

It has been reported that the Sports Federation & Olympic Committee of Hong Kong, China (SF&OC) earlier selected swimmers to represent Hong Kong to participate in the 18th Asian Games. Two swimmers nominated by the Hong Kong Amateur Swimming Association (HKASA) to participate in three events were not selected and their appeals were also dismissed. On the contrary, three other swimmers with inferior results were selected to participate in the competitions, and it was reported that the father of one of the selected swimmers was a member of the Executive Committee of HKASA and a director of two big swimming clubs. In this connection, will the Government inform this Council:

(1) if it knows, in respect of the swimmers selected to represent Hong Kong to participate in 50m butterfly, 50m backstroke and 100m breaststroke events at the Asian Games, whether the best results they had obtained in the relevant events were better than those of the unsuccessful nominees; if their results were not better, why they were selected;

(2) whether it knows SF&OC's justifications for its dismissal of the aforesaid appeals and the details of the appeal system in question; and

(3) given that those swimming clubs which have trainees selected for international competitions will be accorded priority by HKASA in the allocation of swimming lanes at public swimming pools, and such clubs can therefore secure the more sought-after swimming lanes and time slots, thereby admitting more trainees and earning more income, whether the Government knows what

measures SF&OC has adopted to prevent role conflicts and transfer of benefits in the selection of swimmers to participate in international competitions?

Reply:

President,

The Sports Federation & Olympic Committee of Hong Kong, China (SF&OC) is a member of the International Olympic Committee and the Olympic Council of Asia. It is responsible for selecting the Hong Kong Delegation (the Delegation) to compete in major international multi-sport events, including the 2018 Asian Games. For each of the 40 sports in the 2018 Asian Games, the related "national sports association" (NSA) nominated athletes for inclusion in the Delegation based on its established nomination criteria. These nominations were then submitted to the Selection Committee of the SF&OC for consideration with the established selection criteria. Based on the information provided by the SF&OC, my reply to Hon Lam Cheuk-ting's question on the selection of swimmers is as follows:

(1) There were a total of 34 men's and women's individual swimming events and seven relay swimming events at the 2018 Asian Games. All athletes who competed in these events were nominated by the Hong Kong Amateur Swimming Association (HKASA). In general, the HKASA would nominate the two fastest swimming athletes based on their results in recent years for the SF&OC's consideration.

The Selection Committee of the SF&OC held its meeting on April 24, 2018 to consider the HKASA's nominations of 37 swimming athletes based on the SF&OC's established selection criteria. In the light of the gaps between local and international levels of performance in certain swimming events, the SF&OC had to give consideration to the athletes' performances in major international competitions in addition to their rankings in Hong Kong. The SF&OC had accordingly informed all NSAs, including the HKASA, in March 2018 that the athletes' attainment of the specified levels of performance, i.e. top one-third ranking in

related events, at the specified major international competitions (note 1), for example, the Olympic Games, Asian Games, World Championships and Asian Championships would be a major factor for selection. In other words, a swimming athlete nominated by the HKASA but without a top ranking result in major international competitions would not be selected as part of the Delegation. Apart from the athletes' results in recent years, the Selection Committee would also take into account the HKASA's preparation plan for the Asian Games, including the training and competitions of swimming athletes, in an overall assessment.

After detailed discussion, the Selection Committee accepted the nominations of 33 swimming athletes and selected them as part of the Delegation. The nominations of the remaining four swimming athletes were rejected because their best results could not meet the selection criteria of the SF&OC. As a result, some events such as men's 50 metres butterfly and men's 100 metres breaststroke were left with no swimming athletes selected; while some other events such as men's 50 metres backstroke were left with only one swimming athlete selected.

According to the rules promulgated for the 2018 Asian Games by the International Swimming Federation, Hong Kong was allowed to send a maximum of two athletes to compete in each individual swimming event. For swimming events with no or only one athlete selected, the Head Coach of the Hong Kong Swimming Representative Team would, subject to the competition schedule and the athletes' participation in relay events, assign athletes, who had been selected to be part of the Delegation on the basis of results attained in other swimming events, to compete in these swimming events. In such a scenario, the athlete assigned to compete in a swimming event might not have the fastest result among all swimming athletes, as some other athletes might have a faster result in the same swimming event but still failed to secure selection to be part of the Delegation because the result did not meet the selection criteria of the SF&OC.

(2) In accordance with the selection mechanism of the SF&OC, if an NSA is dissatisfied with the decisions of the Selection Committee, it may

provide supplementary information and request for a review by the Selection Committee. If an NSA is dissatisfied with the result of the review, it may again submit supplementary information and request for a further review by the Selection Committee. There is no limit on the number of rounds of review requested. If the NSA is dissatisfied with the result of a review, it may also elect to file an appeal to the Appeal Panel of the SF&OC.

According to information provided by the SF&OC, the HKASA received the selection results of the Selection Committee on swimming athletes on May 17, 2018. The HKASA provided supplementary information and requested for a review by the Selection Committee on the nominations of three swimming athletes on May 29. The SF&OC informed the HKASA on June 19 that the Selection Committee maintained its original decision. This was because the supplementary information provided could not meet the selection criteria. The HKASA did not file an appeal on the results of the review.

(3) According to information provided by the HKASA, it adopts an annual accumulative scoring system to determine the priority to be given to its affiliated clubs when recommending them to apply to the Leisure and Cultural Services Department (LCSD) for use of swimming lanes in main pools and sessions allocated to it under the Central Lane Allocation Scheme (the Scheme). Under the scoring system, the score of each affiliated club depends on a number of factors, including the history of the club, number of registered members, number of members participated in competitions and their achievements, whether its members are selected as the HKASA's training team members, whether its members are selected to join the Delegation, whether its members are record-breakers or record-holders, and its members' rankings in Open Water Swimming or other swimming competitions. In other words, whether club members are selected to be part of the Delegation is only one of the factors for earning points under the scoring system. Affiliated clubs which are recommended for taking up the swimming lanes allocated to the HKASA under the Scheme must be non-profit-making in nature. All proceeds from the activities must be used for the purpose of the same activity. Any

surplus generated from these activities can only be used by the affiliated club concerned for development of the sport. Income or surplus from these activities are not allowed to be directly or indirectly channelled to any member of the affiliated club concerned or any other organisations or persons.

A mechanism for preventing conflicts of interests is in place under the selection process of the SF&OC. The relevant requirements to the members of the Selection Committee include declaration of interests in writing prior to the selection, the need to withdraw from the selection or refrain from taking part in the discussion of the related events, and prohibition from voting. For example, if the Selection Committee were to discuss nominations by an NSA, of which the Selection Committee Chairman is a committee member, the Chairman is required to withdraw from that part of the meeting, and the Vice Chairman should be asked to chair the discussion and resolution of the selection; or if the Selection Committee were to discuss nominations by an NSA, of which a Selection Committee member is a committee member, the member concerned should only take part in the discussion in the capacity of a representative of the NSA and is not allowed to vote. According to information provided by the SF&OC, the Selection Committee followed the mechanism for preventing conflicts of interests at its discussion of nominations by the HKASA. Thank you, President.

Note 1: The specified major international competitions in the selection criteria included the 2016 Olympic Games, the 2014 to 2018 World Championship recognised by the International Federation, the 2014 Asian Games, the 2014 to 2018 Asian Championship recognised by the Asian Federation, the 2017 National Games, the 2017 World Games, the 2017 Universiade, the 2017 Asian Indoor & Martial Arts Games and the 2016 Asian Beach Games.

Ends/Wednesday, October 24, 2018
Issued at HKT 15:20

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Appendix IV

Press Releases

LCQ3: Granting authorised absence to part-time athletes for participating as a representative of Hong Kong in sporting events

Following is a question by the Hon Poon Siu-ping and a reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (January 10):

Question:

Recently, a part-time athlete sought my assistance, saying that he had been selected earlier on by a national sports association (NSA) under the Sports Federation and Olympic Committee of Hong Kong, China to participate as a representative of Hong Kong in a sporting event held on the Mainland, but his employer, which was a subvented organisation, had refused to grant him authorised absence. As a result, he had to take annual leave in order to participate in the event. Regarding the granting of authorised absence to part-time athletes for participating as a representative of Hong Kong in sporting events, will the Government inform this Council:

(1) whether it knows the respective numbers of national and international sporting events in the past three years in which various NSAs had selected Hong Kong athletes to participate, and the number of part-time athletes selected to participate in such events;

(2) as Regulation 1111 of the Civil Service Regulations stipulates that a civil servant who has been selected by an organisation officially recognised by the Government to participate as a representative of Hong Kong in a national or international sporting event may be granted authorised absence not counting as leave, of the respective numbers of applications for authorised absence made and approved under such Regulation in the past three years, together with a breakdown of such numbers by the ranks (i.e. senior, middle and lower) to which the civil servants belonged and their relevant percentages; if there were applications rejected, of the reasons for that; and

(3) whether it will enact legislation to stipulate that where an employee has been selected by an organisation officially recognised by the Government to participate as a representative of Hong Kong in a national or international sporting event, his or her employer must grant him or her authorised absence, so as to give recognition to athletes for their efforts in winning glory for Hong Kong and to promote sports development; if so, of the details; if not, the reasons for that?

Reply:

President,

The Government has been proactively promoting sports development, including formulating and implementing relevant policies, providing resources, venues and facilities to encourage public participation in sports activities, as well as supporting the Sports Federation and Olympic Committee of Hong Kong, China (SF&OC), the Hong Kong Paralympic Committee and Sports Association for the Physically Disabled (HKPC&SAPD), national sports associations (NSAs) and the Hong Kong Sports Institute (HKSI) in training athletes and sending teams to participate in competitions at different levels.

Having consulted the Civil Service Bureau and the Labour and Welfare Bureau, my reply to the three parts of the question is as follows:

(1) The SF&OC is a member of the International Olympic Committee and the Olympic Council of Asia. In addition to developing local sport, promoting Olympism and providing training programmes to administrative executives, coaches and technicians in the sports sector, the SF&OC is responsible for selecting Hong Kong athletes to compete in major international multi-sport events, such as the Olympic Games and the Asian Games.

There are 79 NSAs under the SF&OC. Most of them are affiliated to their respective International Federation and Asian Federation. The NSAs officially represent Hong Kong in national and international sports competitions,

and are responsible for managing local activities relating to their respective sports, including the selection of athletes to participate in competitions such as World Championship and Asian Championship. The HKPC&SAPD is responsible for selecting disabled athletes to participate in competitions such as the Paralympic Games and the Asian Para Games.

Hong Kong athletes take part in more than 500 Mainland and overseas competitions of various sports and scales each year. Thousands of athletes are involved. The numbers of athletes participating in major national and international multi-sport events in the past three years are listed below for reference:

	Name of sporting event	Number of full-time athletes*	Number of non-full-time athletes
1.	2016 Olympic Games	37	1
2.	2016 Paralympic Games	0	24
3.	2017 Asian Winter Games	2	48
4.	2017 National Games	114	140
5.	2017 Asian Indoor and Martial Arts Games	39	31

* According to the HKSI's requirement, full-time athletes must receive a minimum of 25 hours of training per week on average.

(2) Under section 1111 of the Civil Service Regulation (CSR), a Head of Department or Head of Grade may, at his or her discretion, authorise absence up to a maximum of 14 days in any period of 12 months, when an officer is selected as a member or an official (e.g. manager or coach) of a team representing Hong Kong in a national or international sporting event, or to participate for training purposes beforehand, provided that the selection is made or confirmed by an officially recognised organisation which is sponsoring the team (e.g. the SF&OC); and absence

authorised in this connection will not count as leave. The Home Affairs Bureau (HAB) has drawn up the relevant guideline as reference for departments and grades. They may seek HAB's advice should they have any questions in processing applications for such authorised absence.

Officers selected as a member or an official of a team representing Hong Kong in a national or international sporting event may apply to their individual departments or grades for such authorised absence; and a Head of Department or Head of Grade may process these cases by himself or herself under section 1111 of the CSR. The Government does not collate statistics on these cases. The numbers of applications for such authorised absence on which HAB's advice were sought by individual departments or grades in the past three years are tabulated below for reference:

Year	Number of cases with HAB's advice being sought by individual departments of grades	Number of cases where HAB recommended authorisation (percentage)	Number of cases where HAB did not recommend authorisation* (percentage)
2015	43	34 (79%)	9 (21%)
2016	45	35 (78%)	10 (22%)
2017	78	69 (88%)	9 (12%)

* The main reasons for HAB not to recommend authorisation of applications were that the related sporting events were not national or international sporting events, or the applicants were not members of the teams representing Hong Kong.

(3) The Employment Ordinance has prescribed the basic employment benefits to be provided by employers to their employees, including various types of leave and holiday, such as rest day, statutory holiday and annual leave. Employees absent from work under mutual agreement with their employers would not have the continuity of

their employment contracts affected by the absence.

Any proposal to enhance employees' benefits through legislative means must take into account the socio-economic situation of Hong Kong and requires a consensus in the community to ensure that the proposal has suitably taken care of the interests of the employees and the capability of the employers. The Government will continue to encourage, through promotion and publicity, employers to adopt employee-oriented good personnel management practices, introduce employee-caring employment measures, and to provide employees with benefits above the statutory requirements, such as provision of authorised absence based on individual employees' needs, according to their establishments' capabilities so as to attract and retain talents.

Ends/Wednesday, January 10, 2018

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**Relevant papers on review of the Sports Subvention Scheme and the
governance of "national sports associations"**

Committee	Date of meeting	Paper
Panel on Home Affairs	23.10.2017 (Item IV)	Agenda Minutes
Legislative Council	10.1.2018	Official Record of Proceedings Pages 29 to 35
	7.2.2018	Official Record of Proceedings Pages 10 to 16
Panel on Home Affairs	22.10.2018 (Item III)	Agenda Minutes
Legislative Council	24.10.2018	Official Record of Proceedings Pages 101 to 110
Panel on Home Affairs	-- (issued on 7.3.2019)	Letter dated 13 February 2019 from Hon Andrew WAN (LC Paper No. CB(2)937/18-19(01)) Administration's response to the letter dated 13 February 2019 from Hon Andrew WAN (LC Paper No. CB(2)937/18-19(02))
	27.5.2019 (Item V)	Agenda Minutes