

立法會
Legislative Council

LC Paper No. CB(4)1416/20-21
(These minutes have been seen
by the Administration)

Ref: CB4/BC/7/20

Bills Committee on Ocean Park Corporation (Amendment) Bill 2021

Minutes of the first meeting held on
Monday, 12 July 2021, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex

Members present : Hon Jimmy NG Wing-ka, BBS, JP (Chairman)
Hon WONG Ting-kwong, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon YIU Si-wing, SBS
Hon KWOK Wai-keung, JP
Hon Elizabeth QUAT, BBS, JP
Ir Dr Hon LO Wai-kwok, GBS, MH, JP
Hon CHUNG Kwok-pan
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP
Hon YUNG Hoi-yan, JP
Hon LUK Chung-hung, JP
Hon Tony TSE Wai-chuen, BBS, JP

Members absent : Hon Paul TSE Wai-chun, JP
Dr Hon CHENG Chung-tai

Public Officers attending : Agenda item II
Commerce and Economic Development Bureau
Ms Vivian SUM, JP
Commissioner for Tourism

Mr Anson LAI
Assistant Commissioner for Tourism (2)

Mr York IP
Senior Administrative Officer (Tourism) 2

Department of Justice

Miss Shandy LIU
Senior Assistant Law Draftsman

Ms Lonnie NG
Senior Government Counsel

Clerk in attendance : Ms Shirley CHAN
Chief Council Secretary (4)5

Staff in attendance : Mr Mark LAM
Assistant Legal Adviser 7

Ms Shirley TAM
Senior Council Secretary (4)5

Ms Carol WONG
Council Secretary (4)5

Ms Zoe TONG
Legislative Assistant (4)5

Miss Mandy LUI
Clerical Assistant (4)5

Action

I. Election of Chairman

Mr WONG Ting-kwong, the member of the highest precedence among those present at the meeting, presided over the election of Chairman. He invited nominations for the chairmanship of the Bills Committee.

Action

2. Ms Elizabeth QUAT nominated Mr Jimmy NG and the nomination was seconded by Ms Starry LEE. Mr Jimmy NG accepted the nomination. There being no other nomination, Mr WONG Ting-kwong declared Mr Jimmy NG elected as the Chairman of the Bills Committee. Mr NG then took the chair.

3. Members agreed that there was no need to elect a Deputy Chairman.

II. Meeting with the Administration

[File Ref.: TC CR T2 22/40/3/3, LC Paper Nos. LS83/20-21, CB(3)685/20-21 and CB(4)1207/20-21(01) to (02)]

Discussion

4. The Bills Committee deliberated (index of proceedings attached at **Annex**).

Follow-up actions

5. The Administration was requested to provide a written response in respect of the following issues –

(a) whether the Ocean Park Corporation ("OPC") had any plans to carry out functions and activities outside Ocean Park or Hong Kong, which would be within the functions and powers of OPC under the Bill (if passed); and

(b) to avoid future disputes, challenges or litigation, consider the need for provision(s) to define the meaning of "conservation" in the Bill (e.g. "conservation" in the proposed amended long title) by making reference to other legislation.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(4)1268/20-21(02) on 21 July 2021.)

(At 6:26 pm, the Chairman directed that the meeting be extended for 15 minutes.)

III. Any other business

Invitation of views

6. Members agreed to post a notice on the Legislative Council ("LegCo") website to invite written views on the Bill.

Action

(Post-meeting note: A relevant notice was posted on LegCo website on 13 July 2021.)

7. There being no other business, the meeting ended at 6:43 pm.

Council Business Division 4
Legislative Council Secretariat
23 August 2021

**Proceedings of the first meeting of
the Bills Committee on Ocean Park Corporation (Amendment) Bill 2021
on Monday, 12 July 2021, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Election of Chairman			
000443 – 000713	Mr WONG Ting-kwong Ms Elizabeth QUAT Ms Starry LEE Mr Jimmy NG	Election of Chairman	
Agenda item II – Meeting with the Administration			
000714 – 001039	Chairman Administration	Briefing by the Administration on the Ocean Park Corporation (Amendment) Bill 2021 ("the Bill")	
001040 – 001704	Chairman Ms Starry LEE Administration	<p>Ms Starry LEE enquired about–</p> <p>(a) the rationale to empower Ocean Park Corporation ("OPC") to carry out functions and activities outside Ocean Park ("OP") and Hong Kong, and the advantages of OPC in performing such functions as well as the related plans. She considered that instead of carrying functions outside Hong Kong, OPC should focus on improving its local business and financial health; and</p> <p>(b) OPC's plans to apply the Ocean Park Trust Fund ("the Trust Fund") in view of the proposed devolution of the approving authority for the application of part of the Trust Fund from the Chief Executive in Council ("CE in C") to the Secretary for Commerce and Economic Development ("SCED") under the Bill.</p> <p>The Administration advised that –</p> <p>(a) OPC at present had no specific or concrete plans to carry out its functions in other places and its current priority was to undertake the necessary work for outsourcing the retail, dining and entertainment ("RDE") zone in the lower park to private developer(s) and strengthen its financial position. The proposed amendment sought to allow flexibility for OPC to promote conservation and education to the wider community, provide holistic leisure experiences by going beyond OP's physical boundary to other places, even outside Hong Kong, as well as pursue exchange and cooperation with other conservation institutions; and</p>	Follow-up

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		<p>(b) the Trust Fund was established on 1 July 1987 consisting of a donation of \$200 million from The Hong Kong Jockey Club mainly to support capital expenditure of development projects in OP. All donations received by OPC should be credited to the Trust Fund. OPC could apply the Trust Fund for, among others, the promotion of its functions in accordance with the stipulations in the Ocean Park Corporation Ordinance (Cap. 388) and approval of the CE in C would be required if the principal money was applied for purposes other than capital expenditure of development projects. OPC so far had not received any donation since the establishment of the Trust Fund. With the new positioning of OPC focusing on conservation and education under the future strategy for OP ("the Strategy"), it was envisaged that the capital expenditure to be incurred by OPC for development projects would be reduced and more would be spent on conservation and education initiatives, and that the Strategy would help bring in donations for supporting OPC's work in those two areas.</p> <p>The Administration was requested to provide further information on item (a).</p>	
001705 – 002126	Chairman Ir Dr LO Wai-kwok Administration	<p>Noting that the Bill would repeal the OP Bylaw ("the Bylaw") which conferred upon OPC the power to take various enforcement actions against suspected contraventions, Ir Dr LO Wai-kwok enquired about the ways to regulate patron order after the repeal of the Bylaw.</p> <p>The Administration advised that as the Bylaw would create confusion as to which party (i.e. OPC or the developers or operators) would have the responsibility and authority for enforcement under the new mixed mode of operation, it was proposed to repeal the Bylaw to avoid such confusion. Indeed, OPC rarely resorted to enforcement actions under the Bylaw since the vast majority of contraventions or suspected contraventions were dealt with by management means or persuasion and the Hong Kong Disneyland Resort ("HKDL") also did not have a bylaw in place for similar purpose. After the repeal of the Bylaw, conduct of visitors in OP would continue to be regulated through management means or persuasion as well as other applicable laws.</p>	
002127 – 002715	Chairman Ms Elizabeth QUAT Administration	Ms Elizabeth QUAT enquired about the new business plan(s) for OPC and the income projection for it to derive from different revenue streams, such as outsourcing facilities, carrying out functions and activities outside	

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		<p>Hong Kong, and donations. She also enquired about OPC's advantages in carrying out functions and activities outside Hong Kong which might distract it from the main business on local conservation and education.</p> <p>The Administration advised that income to be received by OPC from the outsourcing arrangements of the RDE zone would depend on the result of the tendering exercise. As OPC's current priority was to focus its work on repositioning OP itself for achieving financial sustainability with no concrete plans at present to carry out its functions in other places or undertake a major campaign for soliciting donation, relevant revenue projection would not be available at this stage. In any case, the carrying out of functions outside Hong Kong would only generate a small portion of OPC's income. The proposed amendment on the Trust Fund and OPC's power to carry out functions outside Hong Kong sought to provide flexibility for OPC's future operation and enable it to generate more income at opportune juncture.</p>	
002716 – 003426	Chairman Mr YIU Si-wing Administration	<p>Mr YIU Si-wing considered that OPC should also attach importance to seek business opportunities to achieve self-sustainability in the long run and the Administration should remove barriers for OPC to achieve such purpose. He enquired about –</p> <ul style="list-style-type: none"> (a) the usage of the Trust Fund by OPC in the past and any plans to utilize the Fund in future; (b) the advantages of devolving the approving authority of the Trust Fund and whether there would be donation from the Government or other organizations to increase the Trust Fund; and (c) ways to regulate the patron conduct, particularly for the non-ticketed areas in the lower park, if the Bylaw was repealed. <p>The Administration advised that –</p> <ul style="list-style-type: none"> (a) OPC had been actively looking for more business opportunities. In addition, it was currently working in full steam to prepare for launching the tendering exercise for the RDE zone in the lower park and certain facilities in the upper park as soon as the Bill was passed so as to provide a new source of income; (b) examples of previous usage of the Trust Fund included maintenance of infrastructure in 2004-2006 involving about \$35 million, development of an attraction called Old Hong Kong in 2009-2011 	

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		<p>involving about \$68 million, and development of a performance venue called the Applause Pavilion in 2012-2013 involving about \$49 million. The current balance of the Trust Fund was \$93 million;</p> <p>(c) no donations had been received by OPC since the establishment of the Trust Fund. So far when the Government provided financial support to OPC, approval from the Legislative Council ("LegCo") for the relevant financial arrangements was sought, instead of providing donations to OPC. In future, whether other organizations would make donations to OPC would depend on the decision of individual organizations; and</p> <p>(d) after the repeal of the Bylaw, conduct of visitors in OP would continue to be regulated through management means or persuasion, and OPC, as the owner of the park, would coordinate with any future operator(s) and might set up a management committee to ensure consistency in management and regulation of conduct throughout OP. For non-ticketed areas, OPC and any future operator(s), as the owner or tenant(s), were entitled to manage the areas under their respective controls, in ways which were compatible with their legal rights. Among others, they might lay down the terms and conditions for compliance by any third parties entering or using the areas, and if necessary, take legal action for breach of such terms and conditions.</p>	
003427 – 004051	Chairman Mr Tony TSE Administration	<p>Mr Tony TSE enquired about–</p> <p>(a) whether there would be any amendments to the land lease of OP to enable the outsourcing arrangements;</p> <p>(b) the exact opening date of Water World which was expected to open in summer 2021. He suggested OPC make relevant announcement as early as possible; and</p> <p>(c) whether the two rounds of funding approved by LegCo in May 2020 and March 2021 were being used along the agreed approaches and within budget.</p> <p>The Administration advised that –</p> <p>(a) issues relating to the extension of the term of the land lease of OP were subject to the approval of CE in C and were being followed up by the Tourism Commission;</p>	

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		<p>(b) OPC had commenced its preparation work at full speed for the opening of Water World immediately after the LegCo's approval of the financial arrangements for taking forward the Strategy in March 2021, including recruitment of employees and application for necessary licences, and it had already obtained the occupation permit for the facility. OPC would make announcement on the opening date soon and the Government would convey member's views to OPC; and</p> <p>(c) the Government had been closely monitoring OPC in utilizing the funding approved by LegCo. OPC had to submit documents to the Government on a monthly basis to substantiate the funding required. So far the funding was expended as envisaged.</p>	
004052 – 004719	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan was concerned about OPC's financial sustainability in the near term. He asked if OPC had figured out a balanced budget based on implementing the Strategy.</p> <p>The Administration advised that it was envisaged that OPC would be able to achieve a positive EBITDA and net cash inflow starting from financial year 2024-2025. With the passage of the Bill, it was targeted to launch the tendering exercise for outsourcing by the end of 2021, with the first upfront payment received by financial year 2022-2023. Subject to the development plan(s) of the private investor(s), it was expected that the new RDE zone would commence operation in financial year 2026-2027 and OPC would start receiving the rent/ revenue share derived by then. Meanwhile, OPC was striving to control cost and open up more sources of revenue.</p> <p>Mr CHUNG was concerned about the long timeframe taken to commence the RDE zone after entering into the outsourcing contracts, which would undermine the desire of investment. Moreover, the contract duration should be long enough to allow private operators to recover the investment made.</p> <p>The Administration advised that the said timeframe covered the periods for demolishing old facilities and constructing the new RDE facilities. Before the commencement of operation of the RDE zone, OPC would be provided with a time-limited subvention of not more than \$280 million per year for its conservation and education initiatives for four financial years between 2022-2023 and 2025-2026 to tide over its financial need in the short to medium term.</p>	

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004720 – 005259	Chairman Mr KWOK Wai-keung Administration	<p>Mr KWOK Wai-keung supported removing the barriers to allow OPC implementing the Strategy. However, he considered it too optimistic to expect OPC to improve its financial health in the near term. He also enquired about –</p> <ul style="list-style-type: none"> (a) the measures adopted by OPC to avoid sub-contracting and false self-employment under the outsourcing tender to eradicate exploitation of employees; and (b) the measures adopted by OPC to control visitor flow, especially during the opening of the RDE zone, to avoid negative impact on the traffic of the Southern District. <p>The Administration advised that –</p> <ul style="list-style-type: none"> (a) while the details of individual outsourcing arrangement were not available yet, it was believed that OPC would pay due regard to the treatment of staff when taking forward the tendering exercise; (b) the MTR Ocean Park Station in close proximity to OP would help address the traffic demand. The Government would convey to OPC member's concern about the possible traffic impact on the Southern District as a result of the increase in patronage of OP; and (c) to strengthen the financial position of OPC in the near term before the commencement of operation of the RDE zone, OPC would be provided with a non-recurrent funding of \$1,664 million, and not more than \$280 million per year for four financial years between 2022-2023 and 2025-2026 for its conservation and education initiatives. 	
005300 – 005705	Chairman Mr LUK Chung-hung Administration	<p>Mr LUK Chung-hung sought confirmation whether OPC would keep the jobs for elementary and frontline workers such as cleaning and security staff for the park area under its direct management after implementing the outsourcing arrangements.</p> <p>The Administration advised that OPC would consider the detailed arrangements for outsourcing including the manpower resources in a comprehensive manner. The number of staff directly employed by OPC would inevitably decrease as a result of the outsourcing arrangements. To mitigate the impact on the affected employees, they had been provided with opportunities to</p>	

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		<p>take up new positions at Water World and some 100 employees had agreed to transfer to Water World under this arrangement. Also, the future operators for outsourced facilities would be requested to give priority to hiring existing OPC employees.</p>	
005706 – 010324	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan raised concern about the chance for OPC to engage private contractors under the long-term concession arrangement, and enquired about the contingency plan in case the engaged contractors failed to sustain their operation in the long term.</p> <p>The Administration advised that before seeking LegCo's approval for the financial arrangements for implementing the Strategy, a market sounding out exercise was undertaken and the result revealed that there were market interests. After obtaining LegCo's approval, OPC had further engaged potential investors. Among others, OPC had conducted two rounds of road shows recently to explain to potential commercial partners the outsourcing proposal in greater detail and OPC received positive feedback. It was envisaged that there would be interested parties taking part in the forthcoming tendering exercise. Meanwhile, OPC was preparing a pre-qualification document to gather detailed suggestions from the market on the proposed operation mode and the rent/revenue sharing mechanism under the outsourcing arrangement.</p>	
010325 – 011027	Chairman Mr Tony TSE Administration	<p>Discussion on the long-term sustainability of OPC and the opening date of Water World</p> <p>Mr Tony TSE suggested that with the introduction of "conservation" in OPC's functions, the Administration should consider defining its meaning in the Bill. Without such definition, OPC might be subject to judicial reviews about certain acts, for example, demolishing aging facilities, cutting trees or undertaking reclamation, which might be considered counteracting OPC's function on conservation and hindering its operation.</p> <p>The Administration said that the Bill stipulated that one of the functions of OPC would be to develop, manage and control OP as a public recreational, educational and conservational park. Hence, OPC was empowered to develop the land within OP and pursue new developments for the purpose of recreation, education or conservation. The incorporation of functions relating to conservation into Cap. 388 would not imply that the land or facilities of OP cannot be developed or demolished. The Administration</p>	

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		<p>had reviewed the meaning of "conservation" when drafting the Bill. It was considered not necessary to define "conservation" as it should be interpreted in the context of OP under Cap. 388 which would relate to animals and plants in general and there was consensus on including "conservation" as a function of OPC. Currently, the two terms relating to the existing functions of OPC, i.e. "recreation" and "education" were also not defined under Cap. 388.</p>	
011028 – 011340	Chairman Mr Holden CHOW Administration	<p>Mr Holden CHOW hoped that OPC could engage private operators for the outsourcing arrangements as early as possible to obtain revenues. Noting the repeal of the Bylaw, he asked about which party would be responsible for making the rules to regulate the conduct of visitors inside OP afterwards.</p> <p>The Administration advised that different rules might apply to different facilities depending on the outsourcing arrangements as well as the activities/ services provided. In any case, OPC would be responsible for dealing with possible interface issues.</p>	
011341 – 011728	Chairman Ir Dr LO Wai-kwok Administration	<p>Ir Dr LO Wai-kwok enquired if there was any concern on timing that warranted the attention of the Bills Committee when scrutinizing the Bill.</p> <p>The Administration advised that as the passage of the Bill was a critical step for implementing the Strategy, it hoped that the Bill could be passed by LegCo within the current session as early as possible so that the tendering exercise for outsourcing the lower park and certain facilities in the upper park could be conducted in late 2021 as targeted.</p>	
011729– 012137	Chairman Mr CHUNG Kwok-pan Administration	<p>Discussion on engaging operators through the tendering exercise and contingency plan</p> <p>Mr CHUNG Kwok-pan asked about the welfare of OPC's staff and animals under the implementation of the Strategy.</p> <p>The Administration advised that –</p> <p>(a) as some of OP's facilities would be outsourced in future, the number of staff directly employed by OPC would decrease. To reduce the impact on OPC's existing staff, the entire transformation process of OP would be carried out gradually in a few years. Measures such as hiring freezes would be adopted and OPC would encourage its operating partner(s) to give priority to hiring existing OPC employees; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(b) OPC was conducting an animal audit to examine the arrangement for OP's animals as OPC proceeded with the Strategy. For animals that would not be kept in future, OPC would consider donating them to other organizations in or outside Hong Kong as appropriate. OPC would continue to pay close attention to the welfare of its animals.</p>	
012138 – 012651	Chairman Mr Tony TSE Administration	<p>Discussion on the need to define "conservation" in the Bill</p> <p>In response to Mr Tony TSE's enquiry, the Administration considered it unnecessary to delete "Brick Hill" in the definition of OP under the Bill as it had no conflict with the proposal to empower OPC to carry out functions outside OP and even outside Hong Kong.</p>	
012652 – 012920	Chairman Mr YIU Si-wing Administration	<p>Mr YIU Si-wing enquired about the scope of OP's site to be allocated for outsourcing arrangements, in particular, whether the area located between OP's ticketing office and the MTR entrance would be included so as to generate more revenue.</p> <p>The Administration advised that while the land mentioned by Mr YIU was a part of OP's site, whether it would be allocated for outsourcing would depend on market views and proposals to be collected in the pre-qualification exercise.</p>	
012921 – 013126	Chairman Ir Dr LO Wai-kwok Administration	<p>Ir Dr LO Wai-kwok asked about the rationale for amending section 31 by clause 8 of the Bill to devolve the approving authority for the application of part of the Trust Fund from the CE in C to SCED.</p> <p>The Administration advised that it was anticipated that OPC's focus on conservation and education under the Strategy would help bring in donations for supporting its work in those two areas. It was also expected that the occasions where moneys in the Trust Fund would be used for purposes other than capital expenditure of development projects would increase. Coupled with the expected straightforward nature of cases concerned which would not involve any major policy decisions, the said devolving arrangement was proposed to help streamline the approval process while ensuring appropriate oversight of the proper use of the Trust Fund.</p>	

Time marker	Speaker	Subject(s)	Action required
013127 – 013558	Chairman Mr CHUNG Kwok-pan Administration Ir Dr LO Wai-kwok	Discussion on engaging operators through the tendering exercise and contingency plan	
Clause-by-clause examination			
013559 – 013734	Chairman Administration	<p>Part 1: Preliminary</p> <p><u>Clause 1 – Short title and commencement</u></p> <p>Part 2: Amendments to Ocean Park Corporation Ordinance</p> <p><u>Clause 2 – Ocean Park Corporation Ordinance amended</u></p> <p>Members raised no queries on the above clauses of the Bill.</p>	
013735 – 015217	Chairman Administration Mr Tony TSE Ir Dr LO Wai-kwok Mr CHUNG Kwok-pan	<p><u>Clause 3 – Long title amended</u></p> <p><u>Clause 4 – Section 2 amended (interpretation)</u></p> <p>Mr Tony TSE enquired about/suggested that –</p> <p>(a) the rationale and effect to reflect OPC's function on conservation in the long title as OPC had been providing conservation services in the past without such amendment;</p> <p>(b) whether such amendment might give rise to judicial review in respect of certain acts of OPC, such as demolition of ageing rides, cutting trees, etc which might contradict OPC's function on "conservation"; and</p> <p>(c) to avoid future disputes, challenges or litigation, consider the need for provision(s) to define the meaning of "conservation" in the Bill (e.g. "conservation" in the proposed amended long title) by making reference to other legislation.</p> <p>The Administration advised that –</p> <p>(a) there were sufficient discussions in LegCo on the Strategy and the general consensus was that OPC should focus on conservation and education. It was considered essential to spell out these functions in Cap. 388 to reflect OPC's focus under the Strategy; and</p> <p>(b) it was considered unnecessary to define "conservation" in the Bill. The terms "education" and "recreation" under OPC's functions were also not defined under Cap. 388.</p>	Follow-up

Time marker	Speaker	Subject(s)	Action required
		<p>Ir Dr LO Wai-kwok supported the Administration's proposed amendment to the long title and considered it unnecessary to define "conservation" in the Bill.</p>	
015218 – 020010	<p>Chairman Administration Mr Tony TSE Mr CHUNG Kwok-pan</p>	<p><u>Clause 5 - Section 17 amended (functions of the Corporation)</u></p> <p>Mr Tony TSE enquired about the scopes of facilities and activities that OPC could provide and organize according to the amended section 17(b) and section 17(c) respectively, in particular whether such scopes would be wide enough to cover facilities and activities provided for various commercial elements, such as retailing, dining or even organization of singing concerts, so that OPC could generate more income.</p> <p>The Administration advised that under the amended section 17(b), OPC was empowered to provide, manage and control specified facilities, i.e. recreational, educational or conservational facilities, as well as other related facilities, such as lavatories, street signs, etc. that might be provided along with the specified facilities. Such facilities might or might not be income-generating. Events for recreational purpose could be organized according to the Bill.</p> <p>In response to Mr CHUNG Kwok-pan's enquiry, the Administration advised that the functions under section 17 were performed by OPC or parties engaged by OPC in accordance with the contract or arrangement entered between OPC and the parties involved.</p> <p>Extension of the meeting</p>	Follow-up
020011 – 020929	<p>Chairman Administration Mr Tony TSE</p>	<p><u>Clause 6 - Section 18 amended (powers of the Corporation)</u> <u>Clause 7 - Section 25 amended (power to borrow money)</u></p> <p>Mr Tony TSE enquired about –</p> <p>(a) apart from outsourcing, whether OPC could enter into contracts with other persons for different modes of operation, such as establishing joint venture, raising share capital or subletting the OP's site, under this provision;</p> <p>(b) whether OPC would be granted more power in borrowing money to facilitate it to seek financial support in the market; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) whether the words "any other person" in the amended section 18(b) covered all persons, organizations and government units outside Hong Kong.</p> <p>The Administration advised that OPC might enter into any contracts or arrangements provided that such contracts or arrangements were in compliance with the law, in relation to the performance of OPC's functions and within OPC's powers under Cap. 388. OPC was not empowered to issue shares while the matter of subletting part of OP was subject to the terms under the relevant land lease instead of being regulated by Cap. 388. Currently OPC already had the power to borrow money and such power was not changed under the Bill as the proposed amendments to section 25 of Cap. 388 were consequential amendments reflecting the amended OPC's functions as proposed under clause 5 of the Bill. Under the amended section 18(b), OPC might enter into a contract or an arrangement with "any other person", including any person, organization and government unit outside Hong Kong, in relation to the performance of its functions.</p>	
020930 – 021136	Chairman Administration Mr Tony TSE	<p><u>Clause 8 – Section 31 amended (application of the Fund)</u></p> <p>Mr Tony TSE enquired if OPC had any plans to use the Trust Fund in the near term. The Administration advised that OPC had no specific plans to use the Trust Fund at this moment.</p>	
021137 – 021614	Chairman Administration Mr Tony TSE Ir Dr LO Wai-kwok Mr YIU Si-wing	<p>Part 3: Repeal of Ocean Park Bylaw</p> <p><u>Clause 9 – Ocean Park Bylaw repealed</u></p> <p>Discussion on security arrangements if the Bylaw was repealed</p> <p>Mr Tony TSE called on OPC to have preparation and drills for emergency situations including terrorist attacks. The Administration would convey member's concern to OPC.</p> <p>Ir Dr LO Wai-kwok supported the repeal of the Bylaw given that there were laws at present to deal with the conduct of public activities to ensure public order and safety. In addition, the Bylaw was rarely used in the past and HKDL did not have any Bylaw for similar purpose.</p> <p>In response to Mr YIU Si-wing, the Administration advised that after the repeal of the Bylaw, the future operator(s) of the outsourced facilities would be</p>	

Time marker	Speaker	Subject(s)	Action required
		responsible for regulating patron conduct and would lay down the terms and conditions for compliance by any third parties entering respective areas or using the facilities.	
Agenda item III – Any other business			
021615 – 021726	Chairman Ir Dr LO Wai-kwok Mr YIU Si-wing	Invitation of views Closing remarks	

Council Business Division 4
Legislative Council Secretariat
23 August 2021