

立法會

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Panel on Development

Meeting on 25 June 2024

Background brief on heritage conservation initiatives

Purpose

This paper provides background information on the Administration's heritage conservation initiatives and summarizes the views and concerns expressed by Members on the subject at meetings of the Panel on Development ("DEV Panel") and a relevant subcommittee since the 2022 session.

Background

Policy statement

2. The Government has adopted the following policy statement promulgated in 2007 to guide its heritage conservation work: "To protect, conserve and revitalize as appropriate historical and heritage sites and buildings through relevant and sustainable approaches for the benefit and enjoyment of present and future generations. In implementing this policy, due regard should be given to development needs in the public interest, respect for private property rights, budgetary considerations, cross-sector collaboration and active engagement of stakeholders and the general public."

Policy review conducted in 2014

3. The Administration accepted the recommendations made by the Antiquities Advisory Board ("AAB") in the policy review on the conservation of built heritage conducted in 2014.¹ Among others, the Administration has taken forward the recommendations on updating the Practice Note and Practice

¹ [Report on the Policy Review on Conservation of Built Heritage](#) published in December 2014.

Guidebook for Adaptive Re-use and Alteration and Addition Works to Heritage Building 2012 to provide clearer guidelines to private owners and the industry, as well as exploring the feasibility of the “point-line-plane” approach for conservation.

4. Having considered the diverse views in the community on whether public funds should be used to purchase or resume privately-owned historic buildings, AAB recommended to the Administration not to pursue this option but to provide more attractive economic incentives, such as financial assistance, relaxation of plot ratio and land exchange, to encourage private owners to carry out timely maintenance works and protect their historic buildings.

Built Heritage Conservation Fund

5. The Administration established the Built Heritage Conservation Fund (“BHCF”) in 2016 with \$500 million earmarked to provide subsidies for public education, community involvement and publicity activities, and academic research. BHCF also provides funding for certain existing government initiatives and activities on built heritage conservation including the Revitalizing Historic Buildings Through Partnership Scheme (“Revitalization Scheme”) and the Financial Assistance for Maintenance Scheme on Built Heritage (“FAMS”). In 2017, the Funding Scheme for Public Engagement Projects, and the Funding Scheme for Thematic Research were launched under BHCF. An additional funding of \$1 billion for BHCF was approved in the context of the Appropriation Bill 2022, which was passed on 4 May 2022.

Enhancement of the Revitalizing Historic Buildings Through Partnership Scheme

6. With a view to enhancing the Revitalization Scheme and streamlining the application and selection process, the Administration conducted an overall review of the Scheme and implemented the enhancement measures in December 2023. Instead of launching four to five historic buildings at the same time every few years, the Administration would be inviting applications for a smaller number of buildings (i.e. one to two buildings) but on a more frequent basis (i.e. around six months after launching of the previous round) with a view to evening out the workload and expediting the selection process. Historic buildings selected for upcoming application periods would be made known to the public in advance to enhance transparency and facilitate advanced planning of interested organizations. Other key enhancement measures included allowing non-profit-making organizations (“NPOs”) with charitable status under section 88 of the Inland Revenue Ordinance (Cap. 112) to partner with non-charitable organizations to submit applications to attract more quality applicants and creative ideas in enhancing the financial sustainability of the projects; and

increasing the maximum one-off grant to meet the starting costs and operating deficits of the projects for the first two years of operation from \$5 million to \$6 million.

Major views and concerns expressed by Members

7. Major views and concerns expressed by Members over the implementation of the heritage conservation initiatives since the 2022 session are summarized in the ensuing paragraphs.

Statutory monument declaration system

8. During the scrutiny of the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2022,² Members observed that some members of the public (in particular those of the younger generation) were not familiar with the historical and cultural significance of the Hong Kong City Hall, declared as monument in 2022, and hence queried why it could meet the high threshold required for monument declaration. In this connection, Members opined that the Administration should inform the public of its intent to declare a historic building as monument at an earlier stage (i.e. after AAB has made the relevant recommendations to the Secretary for Development as the Authority and before the relevant statutory process), with a view to enhancing the public's understanding of the proposed declaration. In addition, the Administration was requested to brief Members on such proposals well ahead of the gazettal of the relevant subsidiary legislation in future to allow more time for exchange of views with the Administration and address public concerns.

9. The Administration explained that since 2008, all Grade 1 historic buildings had been included in the pool of historic buildings for consideration of monument declaration. As Grade 1 historic buildings were buildings of outstanding merit, which every effort should be made to preserve if possible, their historical significance had already been established. A due process was

² After consultation with AAB and with the approval of the Chief Executive, the Secretary for Development has, pursuant to section 3(1) of the Antiquities and Monuments Ordinance (Cap. 53), declared three historic buildings, i.e. Jamia Mosque (回教清真禮拜總堂), Lui Seng Chun (雷生春) and Hong Kong City Hall (香港大會堂), as monuments. For this purpose, the Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2022 (L.N. 107 of 2022) was published in the Gazette on 20 May 2022 and tabled before the Legislative Council on 25 May 2022 for negative vetting. The Notice has taken immediate effect after gazettal on 20 May 2022.

involved in taking forward monument declaration, including discussion with the private owners and government departments of the potential monuments, consultation with AAB and seeking the approval of the Chief Executive. The Administration advised that it had taken the opportunity of the monument declaration made in 2022 to conduct publicity and public education on the significant heritage value of three declared monuments concerned. It also undertook to engage Members as early as practicable before future monument declarations.

Assessment of more recently built buildings under the Administrative grading system

10. Members welcomed the progress made towards the grading assessment of buildings built between 1950 and 1959, and urged the Administration to expedite the work to ascertain the heritage value of more recently built buildings.

11. The Administration replied that the grading assessment of the 1 444 buildings, identified from buildings mainly built before 1950, had started in 2009 and was expected to be completed by 2023. Given that the assessment process would take considerable time, starting with buildings built between 1950 and 1959 in extending the grading assessment to cover more recently built buildings was a pragmatic and progressive approach for taking forward the work on preservation of historic buildings. That said, grading assessment was not limited to the above-mentioned buildings, additional items would be added to the list of new items to be graded through suggestions from the public and daily work of the Antiquities and Monuments Office.

12. Members requested the Administration to review the suitability of the existing set of criteria and the relative weighting among the various criteria for assessing the heritage value of post-1950 historic buildings, and to incorporate new thinking in taking forward monument declaration by engaging the public in the process.

13. The Administration responded that a task force had been set up under AMO in 2019 to carry out preparatory work for the assessment of post-1950 buildings. AMO would upload the proposed grading of the respective items endorsed by AAB and information on their heritage value to AAB's website for a one-month public consultation. The Administration also organized publicity, public education and engagement activities to promote heritage conservation, and keep the public informed of developments on the heritage front and Hong Kong's heritage conservation work.

Public engagement and collaboration with the tourism sector

14. Members considered that the Administration should step up promotion on the Funding Scheme for Public Engagement Projects (“FSPEP”)³ among organizations interested in taking part in built heritage conservation. Meanwhile, the tourism sector should be engaged with a view to enabling tourists to share the benefits of activities sponsored by FSPEP, thereby increasing the cost-effectiveness of the funded projects. Members also suggested enhancing the use of technology to promote historic buildings at remote locations (including wartime relics in Hong Kong), so that the public could understand the history and features of the buildings without visiting them in person.

15. The Administration advised that the eligibility criteria for Batch II of FSPEP had been extended to all local NPOs previously involved in built heritage conservation, and would step up relevant publicity work through different channels. Various appropriate measures (including technology application) would also be explored to enable more members of the public and people outside Hong Kong to appreciate the built heritage of Hong Kong. For instance, the feasibility of installing information plaques and QR codes at historic buildings that were inaccessible to the public or located in remote locations would be explored to facilitate the public’s understanding of the buildings’ historical background and heritage value. As a proactive effort to explore ways to make good use of wartime relics (some of which were not buildings) and historical materials for more effective promotion of the history of the War of Resistance and fostering the sense of national identity among members of the public, the Deputy Chief Secretary for Administration would set up an Inter-departmental Task Force to coordinate the relevant work of various policy bureaux.

16. With regard to the collaboration with the tourism sector, the Administration advised that it had maintained close contact with the Hong Kong Tourism Board and provided it with resources related to built heritage and latest programme information to facilitate its publicity work targeting tourists. In addition, the Administration would continue to encourage government departments to open their historic buildings for public visit and enjoyment and strengthen collaboration with the tourism sector by consulting the views of industry players on selecting priority buildings with tourism potential.

17. Members urged the Administration to enhance collaboration across bureaux (e.g. Development Bureau, and the Culture, Sports and Tourism Bureau)

³ Launched in 2017, FSPEP provides funding support for public education, community involvement and publicity activities related to heritage conservation.

to preserve historic buildings and enhance cultural software in tandem to tell a good Hong Kong story. They also commented that joint efforts of bureaux would facilitate preservation of historic landmarks falling outside the purview of the grading system of historic buildings. The Administration advised that it was committed to exploring cross-bureaux collaborative mechanisms for initiatives comprising interlinked and complementary elements of built heritage and cultural heritage.

Privately-owned historic buildings

18. Members asked whether the Administration had plans to review the Antiquities and Monuments Ordinance (Cap.53) (“A&MO”) with a view to providing historic buildings with better statutory protection through strengthening the regulatory and penalty regimes and offering more economic incentives for protecting the privately-owned buildings. Some Members enquired whether the Administration had reviewed FAMS, including the amount of grant offered.⁴

19. The Administration responded that protracted liaison efforts with building owners concerned were required in implementing the protection mechanisms to preserve historic buildings, no matter whether such mechanisms were stipulated in A&MO or put in place under the administrative grading system. Having regard to the outcomes achieved under the grading system, the Administration did not have plans to amend A&MO in the near future, as any move to tighten the statutory regulations would be controversial for property owners and could lead to unintended consequences if not thoroughly considered.

20. The Administration added that economic incentives such as relaxation of plot ratio to compensate owners of privately-owned historic buildings for their loss of development rights, as well as non-in-situ land exchange for owners surrendering the original site with declared monument or grade 1 historic building to the Government were in place and considered on a case-by-case basis. Furthermore, financial assistance in the form of grants to the owners of privately-owned graded historic buildings was offered under FAMS. The grant for each successful application was capped at \$2 million and an owner might

⁴ FAMS was launched in August 2008 to provide assistance to owners of privately-owned graded historic buildings for carrying out maintenance works. The grant ceiling has been increased from \$1 million to \$2 million for each works project since November 2016, and the scope has been expanded to cover not only privately-owned graded historic buildings but also government-owned declared monuments and graded historic buildings leased to NPOs.

submit more than one application for a graded historic building concurrently to cover different scopes of maintenance works.

Effectiveness of the Revitalization Scheme

21. Referring to the project of Savannah College of Art and Design (Hong Kong), the Former North Kowloon Magistracy revitalized under Batch I of the Revitalization Scheme which had discontinued operation from 1 June 2020, Members enquired whether the Administration would review the sustainability of projects under the Revitalization Scheme and consider adding provisions to the tenancy agreements to set out the consequences for NPOs discontinuing a project owing to operating deficits.

22. The Administration replied that the tenancy period for a graded historic building revitalized under the Revitalization Scheme was in three-year renewable terms under normal circumstances so that the use of a building would not be confined permanently to a particular project, and instead could evolve over time with other innovative ideas. Under the current performance monitoring mechanism, NPOs concerned were required to submit annual reports to the Administration and to plough back any surplus generated from the projects to support the business operated under the projects. The tenancy agreements also stipulated the actions that could be taken by the Administration in cases of unsatisfactory performance of NPOs.

23. In response to Members' questions on the utilization rates of the buildings put to adaptive re-use under the Revitalization Scheme, the Administration explained that the objectives of the Revitalization Scheme, among others, were to make innovative use of historic buildings as well as to create job opportunities in particular at the district level. To this end, NPOs might use the buildings to provide services to specific user groups or run business in the form of social enterprise. Having regard to the views of the public on the projects, the Administration had strengthened efforts in ensuring that NPOs concerned would take positive steps to accommodate the public to appreciate the historic buildings as far as practicable despite the nature of the projects.

Heritage conservation work in the Northern Metropolis

24. Members opined that the Administration should, in the planning of the Northern Metropolis, step up its work on conserving and revitalizing various heritage sites to preserve the unique local characteristics. The Administration should also introduce more proactive measures and take the lead in promoting the conservation of heritage sites in the area which possessed distinctive features and conservation value (e.g. Hakka Wai in Tsung Pak Long), thereby enhancing the conservation of built heritage and promoting tourism.

The Administration responded that it would consider the history and characteristics of rural areas in the Northern Metropolis in enhancing the environment of villages and tapping into their potential in tourism development with a view to achieving urban-rural integration and co-existence of development and conservation.

Council questions

25. Questions relating to the heritage conservation initiatives were raised at various Council meetings. The relevant hyperlinks are in the **Appendix**.

Latest development

26. At the DEV Panel meeting to be held on 25 June 2024, the Administration will update the Panel on the progress of various heritage conservation initiatives, including ways of making use of historic buildings for tourism purposes.

Relevant papers

27. A list of relevant papers with their hyperlinks is in the **Appendix**.

Council Business Division 1 and Public Complaints Office
Legislative Council Secretariat
19 June 2024

Heritage conservation initiatives

List of relevant papers

Council/Committee	Date of meeting	Paper
Subcommittee on Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2022	—	Legislative Council Brief: Antiquities and Monuments Ordinance (Cap. 53) Antiquities and Monuments (Declaration of Monuments and Historical Buildings) (Consolidation) (Amendment) Notice 2022 [File Ref: DEVB/CHO/1B/CR/141] Report of the Subcommittee [LC Paper No. CB(1)399/2022]
Panel on Development	12 July 2022	Agenda item III: Report on Implementation Progress of Heritage Conservation Initiatives Minutes of meeting
Panel on Development	25 July 2023	Agenda item VI: Annual Report on Implementation Progress of Heritage Conservation Initiatives Minutes of meeting

Hyperlinks to relevant Council questions and the Administration's replies:

Date	Council question
23 November 2022	Question No. 9 on “ Conservation of heritage sites in the Northern Metropolis ”
18 January 2023	Question No. 16 on “ Lighthouses in Hong Kong ”
7 June 2023	Question No. 1 on “ Wartime relics ”

Date	Council question
28 June 2023	Question No. 2 on “ Making good use of government-owned monuments to develop tourism ”
10 April 2024	Question No. 2 on “ Strengthening patriotic education ”