

立法會
Legislative Council

LC Paper No. CB(2)2069/99-00
(These minutes have been
seen by the Administration)

Ref : CB2/BC/35/98

**Bills Committee on
Hong Kong Sports Development Board (Amendment) Bill 1999**

**Minutes of meeting
held on Tuesday, 9 November 1999 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members Present : Hon Timothy FOK Tsun-ting, SBS, JP (Chairman)
Hon HO Sai-chu, SBS, JP
Hon Fred LI Wah-ming, JP
Hon NG Leung-sing
Hon MA Fung-kwok
Hon Ambrose CHEUNG Wing-sum, JP
Hon Gary CHENG Kai-nam, JP
Hon Howard YOUNG, JP
Hon Andrew CHENG Kar-foo
Hon CHOY So-yuk
Dr Hon TANG Siu-tong, JP

Members Absent : Hon Cyd HO Sau-lan
Hon Christine LOH Kung-wai

Public Officers Attending : Mr Peter CHEUNG
Deputy Secretary for Home Affairs

Mr William SHIU
Principal Assistant Secretary for Home Affairs (Task Force)

Mr Jonathan McKinley
Principal Assistant Secretary for Home Affairs (Recreation and Sport)

Ms Phyllis POON
Government Counsel

**Deputations
by Invitation** : Hong Kong Sports Development Board

Mr Billy KONG Churk-hoi, MH

Prof CHAN Kai-ming

Mr David YAU Po-wing

Sports Federation & Olympic Committee of Hong Kong, China

Mr Karl C KWOK

Mrs Vivien FUNG

Mr A F M Conway

Hong Kong Cycling Association

Mr LEUNG Sik-wah, JP

Hong Kong Tenpin Bowling Congress Ltd

Mrs Vivien FUNG

Hong Kong Yachting Association

Mr Karl C KWOK

**Clerk in
Attendance** : Ms Doris CHAN
Chief Assistant Secretary (2) 4

**Staff in
Attendance** : Mr Stephen LAM
Assistant Legal Adviser 4

Ms Joanne MAK
Senior Assistant Secretary (2) 4

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I. Confirmation of minutes of meeting held on 26 October 1999

(LC Paper No. CB(2)291/99-00)

The minutes of the meeting held on 26 October 1999 were confirmed.

II. Meeting with deputations and the Administration

(LC Paper Nos. CB(2)292/99-00(01) - (08))

2. The Chairman welcomed representatives of the deputations and the Administration to the meeting.

3. At the invitation of the Chairman, Deputy Secretary for Home Affairs (DSHA) briefed members on LC Paper No. CB(2)292/99-00(05) which outlined the new administrative framework for sports and recreational services.

4. At the invitation of the Chairman, Mr Billy KONG, representing the Sports Development Board (SDB), briefed members on the main points of SDB's submission (LC Paper No. CB(2)292/99-00(01)). He said that as one of the main functions of SDB was to promote the development of sports, SDB welcomed the proposal to expand its membership.

5. The other deputations expressed unanimous support for the proposed change of the name of the "Amateur Sports Federation & Olympic Committee of Hong Kong" to "Sports Federation & Olympic Committee of Hong Kong, China" (SF & OC). Although they also supported expanding the membership of SDB, they expressed different views on the size of membership and representations.

6. Mr Karl KWOK, representing SF & OC and Hong Kong Yachting Association, said that the proposed addition of one more representative which changed the ratio of representation of SF & OC from 1/13 to 2/17 of the membership of SDB was inadequate. He proposed that 1/3 of the members of SDB should be from National Sports Associations (NSAs). The reason was that with a membership of 2/17, SF & OC would still be a minority in SDB. He referred members to the extracts of minutes of meetings in LC Paper No. CB(2)292/99-00(02) on the long standing grievance of SF & OC and NSAs over the lack of regard for the views and needs of SF & OC and NSAs. He said that SF & OC and NSAs were professionals in sports and their views should be considered seriously. In failing to listen to the opinions of sports professionals, SDB had not deployed resources to the right directions and had wasted public money on unnecessary administrative areas.

7. Mr CONWAY, representing SF & OC, and Mrs Vivien FUNG, representing SF & OC and Hong Kong Tenpin Bowling Congress Ltd., also supported the proposal to increase the representation of SF & OC and NSAs on SDB to 1/3 of its membership. Mrs FUNG said that from her past experience of representing SF & OC in SDB since 1993, the views of SF & OC and NSAs were often disregarded. The stronger

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presence of SF & OC and NSAs in SDB would reduce conflicts between SDB and SF & OC and NSAs. Noting their proposal that the additional representatives of SF & OC and NSAs to SDB should be elected from the NSAs, Mr MA Fung-kwok expressed concern that the election would be dominated by the big NSAs. Mrs FUNG responded that this would not happen as the views of all NSAs were duly regarded irrespective of their size and whether they were funded by SDB.

8. Mr Gary CHENG Kai-nam enquired whether there was a definition of "sports background" for members of SDB. DSHA responded that there was no definition of "sports background" in the law. However, as could be seen from the membership list of SDB, most of the members were linked to sports one way or the other. Although the background of the proposed additional representative from SF & OC to SDB was spelt out in the Bill, it would cause inflexibility to similarly state the background of all other members. He pointed out that many members of the sub-committees of SDB were drawn from SF & OC and NSAs.

9. Having regard to the fact that one of the functions of SDB was allocation of funds to SF & OC and NSAs, Mr MA Fung-kwok expressed concern about the problem of conflict of interest if too many members of SDB were elected from SF & OC and NSAs. In response to Mr MA's question on the reason for their request for 1/3 of the membership of SDB to be from SF & OC and NSAs, Mrs Vivien FUNG said that a balanced membership was crucial to the success of a committee. While SF & OC and NSAs were conscious of the problem of conflict of interest, they were also anxious that the funding needs of SF & OC and NSAs, and in turn the long term development of sports in Hong Kong, should be advised by sports professionals. She cited the success in the recent review of needs and funding allocations to NSAs by the committee on the selection of focused sports where half of the members were from SDB and the other half from SF & OC and NSAs. Mr CONWAY supplemented that the presence of SF & OC and NSAs in the sub-committees of SDB was not enough and that a stronger presence of SF & OC and NSAs at the Board level was needed.

10. Mr Ambrose CHEUNG Wing-sum said that in the Government's current review of the administrative framework for sports and recreation services, it was proposed that SDB would be responsible for elitist training and the new Leisure and Cultural Services Department (LCSD) for programmes at the community level. He considered that before determining the membership, it was necessary to define the terms of reference of SDB first. He asked how the sports background of a SDB member could assist the Government in fulfilling these aims. DSHA responded that at the policy-making level, the terms of reference of SDB was the overall long term strategic planning of sports with emphasis on sports for excellence and development activities in resource deployment. At the execution of policy level, SDB was responsible for elitist training while the new LCSD for grass root promotions. As the new LCSD controlled the majority of facilities, it would seek partnership with NSAs, district councils and schools in organizing promotional activities. As regards sports background, DSHA said that it was not necessary for all SDB members to have it.

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11. DSHA noted the urge of the sports community for a change in the working relationship between SDB and SF & OC and NSAs. He said that the Bill would provide a good opportunity for improving the situation. However, as the structure and administration of SDB and the background of all its members would not need to be set out in legislation, he asked members to focus on the issue that had to be dealt with by law, i.e. the addition of an ex-officio member from SF & OC to SDB.

12. Mr David YAU, representing SDB, said that the representation from various sectors of the community in SDB was necessary. He was of the view that the expertise of SF & OC and NSAs was well reflected through the representation of their members in the Board and sub-committees of SDB. Mrs Vivien FUNG responded that the scope of a NSA was not limited to elitist training alone. Instead, the role of a NSA was to look after a sport from grass root to elitist training and from promotional to international competition levels. She appreciated the efforts of SDB in developing sports but felt that it needed to improve its work in addressing the needs of NSAs which represented the development of various sports at various levels in Hong Kong.

13. Mr Gary CHENG Kai-nam pointed out that the professional background of the membership of statutory committees and advisory boards were normally not stated in law. The appointment of members was usually on a personal basis although it was understood that the concerned members were from the relevant professions. Since the function of SDB was to promote sports in Hong Kong, he was of the view that additional members to SDB should be elected from the community in general rather than from the sports community. Mr CONWAY responded that SF & OC and NSAs welcomed the participation of the general community in SDB as they had only suggested that 1/3 of the membership be made up of representatives from SF & OC and NSAs with the other 2/3 from the general community.

14. Considering the substantial amount of money controlled by SDB and that one of its major functions was funding allocation to SF & OC and NSAs, Mr Andrew CHENG shared the view that additional members to be appointed to SDB should be drawn from the general community instead of from SF & OC and NSAs. He said that as nine out of the 13 members of SDB at present were from the sports community, he considered that too much weight was given to the sports representation. He asked the Administration how it would strike the balance between the interests of the general community and the sports community. DSHA responded that apart from the addition of an ex-officio member from SF & OC, the number of Government representatives would be increased from one to three. On allocation of facilities, the LCSD would discuss with SF & OC and NSA on improvement measures. On allocation of funds, the Administration was working with SDB, SF & OC and NSAs on a new framework by modelling on the successful committee mentioned by Mrs FUNG earlier. The majority of public funds for sports would still be allocated through SDB. He supplemented that the status of SF & OC was different from the other sports associations in that it performed as a parent organization for NSAs although the actual implementation of sports activities was through NSAs.

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15. Noting that the interest of NSAs was already looked after through the representation of SF & OC, Mr MA Fung-kwok asked SF & OC and NSAs to further elaborate on their reason for proposing to increase their membership in SDB to 1/3. Mrs Vivien FUNG explained that it was necessary to have more representation at the Board level as the concern of SF & OC and NSAs was not on funding allocations alone. They were also interested in the planning and administration matters of SDB as well since they would affect the future development of NSAs. The strong presence of NSAs in SDB sub-committees was insufficient as the final decision rested with SDB. Mr Gary CHENG Kai-nam asked whether there had been instances where the decisions of SDB sub-committees were over-ridden by SDB. Mr Billy KONG replied that decisions passed by sub-committees for the endorsement of SDB were in general accompanied by a detailed report and explanation. According to record, there had been no instances of their being overruled, but there had been occasions on which clarifications and follow-ups were required. He found the current consultation system working satisfactorily.

16. In view of the responsibilities of members of SDB, Mr NG Leung-sing enquired whether there was any mechanism to assess their performance. DSHA responded that similar to other statutory bodies and advisory committees, there was no formal assessment mechanism in respect of members of SDB in general. He considered that the performance of members depended largely on their sense of responsibility. As the terms of appointment of a membership was for a period of two years, the appointment would not be renewed if the member's performance was not satisfactory.

17. Referring to the extracts of minutes of meeting contained in LC Paper No. CB(2)292/99-00(02), Mr Andrew CHENG expressed concern about the co-operation between SDB and SF & OC and NSAs. DSHA clarified that the aspirations of SDB and SF & OC and NSAs were similar. He pointed out that the present problem was caused by inadequate communication mechanism. DSHA added that the expansion of membership of SDB sought by the Bill would provide an excellent opportunity to improve the mechanism for dialogue between SDB and SF & OC and NSAs.

18. Mr NG Leung-sing noted that as controller of elitist training, talented athletes from districts would eventually be referred to SDB by NSAs. He expressed concern about this referral system and the co-operation between districts and SDB. He asked whether there was any mechanism for checking the effectiveness of this referral system. DSHA responded that NSAs would still play a key role in elitist training as they were responsible for the standard and development of the sports concerned and had the international network for enhancements and competitions. As for the deployment of resources, the new LCSD would be responsible for the resources at the district level and would organize many entry level training classes and programmes. SDB would be responsible for the deployment of resources at the athlete level. Through the holding of joint activities and competitions, provision of coaches and advice, NSAs would play a major role in identifying talented sportsmen and

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recommending them to SDB for elitist training, and at the same time, provide a link with the LCSD, districts and SDB.

19. Mr LEUNG Sik-wah, representing Hong Kong Cycling Association, was of the view that the Government should allocate more resources to sports for the dual purposes of improving the health of the community and for enhancing the image of Hong Kong through participation in international events. He suggested that a high level commission on sports should be set up to take over the responsibilities of strategic planning on the development of sports and the long term planning on the provision and use of sports facilities. The structure and relationship between this high level commission and the existing SDB should be similar to that of Culture and Heritage Commission and the Arts Development Council. Members of the new commission should be drawn from senior and professional members of the sports community. The new commission should also seek to improve the transparency of the Government in resource allocation and policy making.

20. Mrs Vivien FUNG and Mr Conway of SF & OC however expressed that an additional high level sports commission was not necessary should the current structure of SDB be improved. They said that sports were different from arts and culture. While there were many independent disciplines in arts and culture, sports were relatively uniform.

21. In reply to a question from Miss CHOY So-yuk on the size of the membership of SDB, Mrs Vivien FUNG said they had no strong view on the size as long as 1/3 of its members was from SF & OC and NSAs. Mr Billy KONG of SDB said that at present, there was already representation from other sectors of the community in SDB. They welcomed more participation by the community but had no strong view on the proposed number of 17. Miss CHOY considered that the size of the membership should be increased to include more representatives from various sectors of the community.

22. Mr Karl KWOK of SF & OC was of the view that the Bill was inseparable from the long term policy of recreation and sports in Hong Kong. It was inappropriate to pass the Bill at this stage without setting the long term policy right first. He urged the Administration to take the opportunity to review the long term recreation and sports policy before passing the Bill.

23. While agreeing with DSHA that members should concentrate their deliberations on the Bill for the moment, Mr Howard YOUNG expressed concern about the gap between sports for excellence and sports for all. In view of the limited facilities and resources available, he was of the view that a long term strategic plan for recreation and sports was required. He urged the Administration to make a commitment and to set a time-table for the plan. He also requested that the plan be adequately debated in LegCo. Mr Ambrose CHEUNG Wing-sum shared the same view. DSHA responded that since SDB, SF & OC and NSAs all had a role to play in the future of sports in Hong Kong and the current problem was mainly caused by inadequate

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communication mechanism between them, it was more appropriate to rectify the problem by expanding the membership of SDB first and to discuss the long term policies later. Members agreed to leave the discussion of the long term sports policies of Hong Kong to the LegCo Panel on Home Affairs.

24. Members requested the Administration to respond in writing to the points raised by the Bills Committee, in particular, the definition of arts background and sports background, a comparison of the structure and membership of the Hong Kong Arts Development Council and SDB and information on the funding allocation system.

III. Date of Next Meeting

25. Members agreed that the next meeting should be held on Monday, 6 December 1999 at 10:45 am to consider the Administration's response and examine the Bill clause by clause.

26. The meeting ended at 10:50 am.

Legislative Council Secretariat
20 May 2000