

(Translation)

Minutes of the 4th Meeting of Sham Shui Po District Council (6th Term)
under the Hong Kong Special Administrative Region

Date: 23 June 2020 (Tuesday)

Time: 9:30 a.m.

Venue: Conference Room, Sham Shui Po District Council

Present

Chairman

Mr YEUNG Yuk

Members

Ms CHAU Yuen-man, Eunice

Ms CHOW Wing-heng, Zoé

(Arrived at 10:20 a.m.)

Mr CHUM Tak-shing

(Arrived at 1:35 p.m.)

Mr HO Kai-ming, Calvin

(Left at 4:25 p.m.)

Mr HO Kwan-chau, Leo

(Arrived at 9:39 a.m. and left at 3:45 p.m.)

Mr KONG Kwai-sang

(Arrived at 10:15 a.m. and left at 4:55 p.m.)

Mr LAO Ka-hang, Andy

Ms LAU Pui-yuk, MH

(Left at 3:45 p.m.)

Mr LAU Wai-chung, Lawrence

Mr LEE Hon-ting, Howard

Mr LEE Man-ho, Leos

Mr LI Chun-hei, Joshua

Mr LI Kwing, Richard

(Left at 12:40 p.m.)

Mr LI Ting-fung, Jay

(Left at 4:25 p.m.)

Mr MAK Wai-ming

(Arrived at 9:45 a.m. and left at 12:40 p.m.)

Ms NG Mei, Carman

Ms NG Yuet-lan, Janet

Mr SIN Kam-ho, Jeffrey

Mr TAM Kwok-kiu, MH, JP

(Left at 4:55 p.m.)

Mr TSUI Yat-hin, Ronald

(Arrived at 9:48 a.m. and left at 4:25 p.m.)

Mr WAI Woon-nam

Mr WONG Kit-long

Mr YAN Kai-wing

(Left at 4:25 p.m.)

Mr YUEN Hoi-man, Ramon

In Attendance

Mr LEE Kwok-hung, Damian, JP

Mr LEE Wai-yin, Brett

Mr LAM Wui-tsun, Brian

Miss CHIN Wai-sheung, Doris

Miss LAU Sze-nga, Vivicia

Ms CHAN Siu-ping, Daphne

Mr TAM Kin-fai, Simon

Mr LEE Wai-man, Raymond

Ms CHAU Fung-mui, Wendy

Mr HO Kai-hin, Tony

Mr CHAN Chi-suen, Rex

Mr LUK Chi-kwong

Ms LEE Shuk-ling, Agnes

Mr SUM Siu-hin

Ms LING Kuk-yi

Mr TSE Kong-wai, Eric

Ms KAN Hoi-yan, Amanda

Secretary

Ms HO Kam-ping, Jennifer

District Officer (Sham Shui Po)

Assistant District Officer (Sham Shui Po) 1

Assistant District Officer (Sham Shui Po) 2

Senior Liaison Officer 1, Sham Shui Po District Office

Senior Liaison Officer 2, Sham Shui Po District Office

Senior Liaison Officer 3, Sham Shui Po District Office

Senior Liaison Officer 4, Sham Shui Po District Office

Chief Engineer/S1, South Development Office, Civil Engineering and Development Department

District Social Welfare Officer (Sham Shui Po), Social Welfare Department

District Commander (Sham Shui Po District), Hong Kong Police Force

Police Community Relations Officer (Sham Shui Po District), Hong Kong Police Force

Chief Leisure Manager (HKE), Leisure and Cultural Services Department

District Leisure Manager (Sham Shui Po), Leisure and Cultural Services Department

District Environmental Hygiene Superintendent (Sham Shui Po), Food and Environmental Hygiene Department

Chief Manager/M (KWS), Housing Department

Chief Transport Officer/Kowloon 1, Transport Department

Chief School Development Officer (SSP), Education Bureau

Senior Executive Officer (District Council), Sham Shui Po District Office

Opening Remarks

The Chairman welcomed Members and representatives from government departments to the fourth meeting of the Sham Shui Po District Council (“SSPDC”). To reduce the risk of the spread of the epidemic, the attendees had already checked their temperatures and registered their names before entering the Conference Room. Moreover, the public gallery would not be open and the duration of meeting would be limited to four hours.

Item 1: Confirmation of minutes of the 3rd meeting held on 28 April 2020

2. The minutes of the above meeting were confirmed without amendment.

Item 2: Matters for discussion

(a) Concern over substandard premises of public-sector primary schools in the district (SSPDC Paper 85/20)

3. Mr YAN Kai-wing introduced Paper 85/20.
4. Ms Amanda KAN introduced Response paper 107/20.
5. Mr Ramon YUEN enquired about the details of the new primary school premises under planning at Lin Cheung Road in Sham Shui Po for the reprovisioning of an existing public-sector primary school located in the Primary One Admission school nets of Kwai Tsing District, the completion date of the technical feasibility studies on the two sites reserved for primary schools at Mei Lai Road in Mei Foo and Pak Tin Estate, and why the Education Bureau (“EDB”) did not complete the studies sooner in order to utilise the said sites as early as possible. Besides, he enquired whether EDB could commit the said sites be allocated to the district for operating new schools or reprovisioning of existing schools.
6. Mr TAM Kwok-kiu said that he was disappointed that the new primary school premises at Lin Cheung Road would not be used for the reprovisioning of substandard school premises in the district. He requested that the sites at Mei Lai Road and Pak Tin Estate had to be used for the reprovisioning of substandard school premises in the district. The Bureau should not only handle the shortage problem of public-sector primary school places in the district and neglect the need to enhance the learning environment of substandard school premises for students. Besides, it would be better that the sites used for the reprovisioning of school premises be located in the original district to avoid cross-district schooling. He hoped that the Bureau would report the progress on the reprovisioning and enhancement of substandard school premises in the district to the Committee in due course.

7. Ms Janet NG said that apart from operating new schools to relieve school place shortage in the district, EDB should also improve substandard school premises and provide a timetable for in-situ reprovisioning of school premises.

8. Mr Jeffrey SIN enquired when the site for the reprovisioning of primary schools located in the Primary One Admission school nets of Kwai Tsing District would commence works.

9. Ms Carman NG was disappointed that EDB did not listen to the views of the Council on Lin Cheung Road's plan. Given that Lin Cheung Road was a one-way carriageway, she enquired how the Bureau would handle the traffic congestion and nuisance to the nearby residents after the school completion. As the Bureau anticipated that the site at Block 13 of Pak Tin Estate would be used for building school, she enquired whether the Bureau would make special arrangement for the Pak Tin Catholic Primary School which was located next to the site. Besides, minor internal conversion works could not solve the problem of insufficient space in substandard school premises. She enquired whether the Bureau would put forward specific measures to improve the teaching environment of these schools.

10. Mr YAN Kai-wing opined that the Bureau disregarded the needs of substandard school premises and requested that the reprovisioning of school premises should be handled as soon as possible.

11. Mr WAI Woon-nam opined that there were still many "matchbox-style school premises" in the district, and these schools also had issues like ground subsidence. However, EDB did not actively offer a long-term solution. Vacant school premises in Sham Shui Po were being used by EDB for physical extension of primary schools for a time-limited period, yet, the size of school premises was still below standard. He opined that schools should be rebuilt on other locations instead. Parents, teachers and schools were very concerned that students attending lessons in substandard school premises which might affect their learning. He urged the Bureau to put forward feasible measures to improve school premises.

12. Mr Jay LI pointed out that the number of school-age children in the district had been increasing, and relevant departments should make a comprehensive plan for the allocation of school premises in order to provide sufficient school places. He worried that the reprovisioning of an existing primary school in Kwai Tsing District to this district might affect the original school nets.

13. The Chairman opined that minor internal conversion works could not address the problem of insufficient space in school premises. There were numerous vacant school

premises and lands being left idle for years in the district. He suggested the Bureau operating new schools or reprovisioning substandard school premises in the district on these sites. He requested the Bureau to consider the suggestions proposed by the Sham Shui Po District (“SSP District”) School Liaison Committee in the paper, and promised not to let schools in other districts use the vacant land in the district.

14. Ms Amanda KAN responded that EDB would observe the changes in student population and alleviate crowdedness of school premises by borrowing school places from other school nets, temporarily allocating more students to each class, and utilising vacant classrooms to operate additional classes and reduce the number of students in each class. Besides, the Bureau also increased the supply of school places by providing vacant school premises to The Elchk Faith Lutheran School (“Lutheran School”) for physical extension of primary school for a time-limited period so as to meet the transient demand for primary school places in the district. The new primary school premises under planning at Lin Cheung Road was expected to be completed in the third quarter of 2024, providing a total of 30 classrooms. The Bureau would keep close contact with the school in respect of traffic arrangements. After the technical feasibility studies on the two sites reserved for primary schools at Mei Lai Road in Mei Foo and Pak Tin Estate were completed by the Architectural Services Department, the Bureau would review in due course relevant factors, including the school-age population projections, the actual number of existing students and school places available at various levels, the prevailing education policies, and other factors which might affect the supply and demand of school places, etc., to decide if the sites should be used for operating new schools or reprovisioning of existing schools, and when to kick-start the relevant work for school building. The Bureau would closely monitor the supply and demand of public-sector primary school places in SSP District and keep close contact with schools in relevant district.

15. Mr Ramon YUEN enquired when the allocation result for the new primary school premises at Lin Cheung Road in Sham Shui Po would be announced. He opined that it was unreasonable for EDB not being able to respond when the technical feasibility studies on the said sites would be completed. He said that the Bureau had the responsibility to urge for earlier completion of the studies in order to tie in with the school building works in the district.

16. Mr TAM Kwok-kiu said that the new primary school premises under planning at Lin Cheung Road would commence operation in four years the earliest, and could not immediately address the problem of keen competition for school places in the district. He continued to enquire why the new primary school premises under planning in Sai Kung District would not be used for the reprovisioning of a school located in the Primary One Admission school nets of Kwai Tsing District. He also requested EDB to consult the District Council (“DC”) before conducting allocation of school premises and submit

proposals for improving or reprovisioning of substandard school premises in the district.

17. Mr MAK Wai-ming said that the new primary school premises at Lin Cheung Road could only provide 30 classrooms, which might not satisfy new residents' demand for primary school places after they moved into the newly completed buildings in the vicinity. Besides, since the conditions of the school premises of Kei Oi Primary School, Fuk Wing Street Government Primary School, Lutheran School and Shamshuipo Kaifong Welfare Association Primary School were poor, he enquired how EDB would improve the learning environment of these schools. Some primary schools in the district reflected that the Bureau's policy on allocation of school premises could not tie in with the development of the district, and thus could not solve the problem of insufficient school places. He suggested that the Bureau optimise the idle sites for the reprovisioning of substandard school premises or operating new schools.

18. Mr Jeffrey SIN said that considerable number of private residential buildings and hotels at Lin Cheung Road would be completed soon. He enquired whether EDB had conducted traffic assessment for the new school premises located there.

19. Mr YAN Kai-wing enquired whether EDB would take into account the need to improve the learning environment of the existing schools when considering operating a new school or reprovisioning of an existing school.

20. Ms Amanda KAN responded that allocation of school premises would normally be conducted on a competitive basis amongst the school sponsoring bodies, and applications would be assessed by the School Allocation Committee ("SAC") which comprised official and non-official members. Generally speaking, given that all applicant schools shared similar conditions, priority would be given to the one operating in the same district as the new school premises. After SAC completed the assessment of all applications, EDB would announce the result of the third school allocation exercise 2019. If an existing primary school located in the Primary One Admission school nets of Kwai Tsing District was reprovisioned to SSP District, the said school places would be covered in SSP District school nets. Apart from the reprovisioning of school premises, allocating more students to each class, provision of physical extension of primary school for a time-limited period and providing additional classes, the Bureau would improve the environment of the school premises by in-situ redevelopment after considering factors like technical feasibility, the ages and conditions of school premises, use of public resources, demand for school places in the district, etc. The new primary school premises under planning in Sai Kung District were available school premises in the second school allocation exercise 2020, and were expected to be completed in 2025. The Bureau would maintain close liaison with relevant school in respect of traffic and school bus arrangement in the vicinity of Lin Cheung Road so as to avoid traffic issues.

21. The Chairman said that the Council had discussed operating a new school at the site of Lin Cheung Road five years ago. However, the school had yet to be completed. He criticised EDB for not having a thorough planning to address the shortage problem of school places in the district.

22. The Chairman concluded that he was disappointed at EDB's response and requested the Bureau to formulate reprovisioning plans for substandard school premises in the district, such as utilising idle land in the district or carrying out in-situ redevelopment. He hoped that the Bureau would report to DC the situation of primary and secondary school places and relevant measures to address the issues every year, and consult DC on the school allocation exercise every year. He also requested the Bureau to allocate suitable school building sites in the district to the school sponsoring bodies in the district first, in particular the two sites at Mei Lai Road in Mei Foo and Pak Tin Estate, to address the shortage problem of school places in the district.

(b) Request for the Police to investigate the case of people being knocked down by a taxi in Sham Shui Po in a fair manner (SSPDC Paper 86/20)

23. Mr Lawrence LAU introduced Paper 86/20. He said that the Independent Police Complaints Council ("IPCC") had published a report on 15 May this year and he quoted paragraphs 16.13, 16.15 and 16.32. He requested the Police to explain the reason for requiring citizens to institute private prosecutions.

24. Ms Janet NG added a supplementary remark concerning the paper, opining that the Police did not further investigate the wounding case. She hoped that the Police would provide responses proactively to rebuild the public's confidence in law enforcement officers.

25. Mr Tony HO introduced Response Paper 109/20 and said that enquiries about the reason for instituting private prosecutions should be made to the persons concerned.

26. Mr Ramon YUEN said that the Police had decided not to make arrest or prosecution on many cases, which might be related to the political position of the persons involved. Given that no arrest was made so far, the persons concerned instituted private prosecutions.

27. Mr YAN Kai-wing pointed out that there was sufficient information for investigation into the case but the Police did not take further actions. Such an act of the Police would arouse public suspicion that the law was enforced according to political stances.

28. Mr WONG Kit-long said that if the case was handled as a traffic accident, the driver should be prosecuted for causing grievous bodily harm by dangerous driving. Therefore, he opined that the Police enforced the law selectively. The Department of Justice (“DoJ”) said that it could withdraw private prosecutions brought out of improper motives. He opined that the current legal system could no longer stop the situation mentioned by the above paper.

29. Mr WAI Woon-nam enquired why the case was handled by the Commercial Crime Bureau (“CCB”) and why the Police did not respond to the decision of not to prosecute.

30. Mr Leos LEE pointed out that if the Police handled the case fairly, it should arrest people of both sides. He had helped arrest the people who vandalised banners before but the Police took the suspects to the police vehicle without cautioning them, which was considered not appropriate.

31. Mr Andy LAO said that the case obviously involved an element of murder and yet it was handled by CCB. It was learnt that some of the protesters present at the scene on that day had already called into the court more than once.

32. Mr Calvin HO said that the key discussion point of the paper was whether the Police enforced the law fairly. The Police should report the investigation progress and explain why the case was handled by CCB. He then enquired why there had been police officers outside the Conference Room just then.

33. Mr TAM Kwok-kiu enquired whether the Police had arrested and prosecuted the taxi driver concerned. People injured in traffic accidents could request compensation from drivers but there was a time limit. If the Police kept stalling the case, the interests of the injured would be jeopardised.

34. Mr Tony HO responded that the Police did not take a political stance when enforcing the law. Since the case was not handled by the Sham Shui Po police district, no response to the investigation progress could be provided. As the investigation into the case was still underway, it was not appropriate to disclose the case details at this stage so as to avoid affecting the investigation and the rights of the people involved. As for the investigation time, there was no standard duration since it would be affected by different factors, including the collection of evidence, necessity to seek legal advice, etc., and handling of some cases would require more time. The whole investigation into the protest activities against the proposed legislative amendments to the Fugitive Offenders Ordinance required the Police to put in substantial amount of manpower and therefore various sections were assigned to carry out the investigation. All police officers had received criminal investigation training and were capable of investigating cases of

different types.

35. Ms Janet NG said that responses of the Police were all the same and she no longer had any expectation for the Police.

36. Mr Joshua LI said that he did not think that the Police could do the things mentioned in the response paper.

37. Mr Lawrence LAU said that for similar assault cases, the search of evidence would require about three months' time and it was unnecessary to seek DoJ's advice. He opined that the Police should be able to determine whether to institute a prosecution within three months. He then enquired why the investigation into the case took so long.

38. Mr Leos LEE said that regarding the banner vandalism incident mentioned earlier, a video was available to serve as evidence and he asked the Police to explain why the arrests had not been made according to procedures.

39. Mr Ronald TSUI enquired whether the Chairman had requested the Police to offer support for today's DC meeting. He also requested the Police to respond why officers were sent to the DC Conference Room and whether there would be similar actions in the future.

[The Chairman shook his head to indicate that he had not requested police support for the current meeting.]

40. Mr Richard LI said that he wanted to find out the truth and hoped that an independent committee of inquiry would be established as soon as possible.

41. Ms LAU Pui-yuk said that she learnt from a video that the driver had also been beaten after hitting passers-by and she requested the Police to speed up the case investigation. She also hoped that the Police could refer to IPCC's suggestions to make improvements, and she objected to any violent incident.

[Some Members present at the meeting expressed their views loudly. The Chairman indicated to them that they should not disturb the proceedings of the meeting.]

42. Mr MAK Wai-ming said that the case prosecution direction differed from the common understanding of the public and the Police needed to explain why the case was handled by CCB. He hoped that the Police would follow the Police General Orders thoroughly to regain the public's confidence in the Police.

43. Mr TAM Kwok-kiu said that IPCC's reports provided suggestions to the Police on their handling methods. To understand the cause of an incident, an independent committee of inquiry should be established.

44. Mr Tony HO responded that the investigation time required for a single case would be shorter, while for the many cases related to the protest activities against the proposed legislative amendments to the Fugitive Offenders Ordinance, the investigation time required would be longer, and he would learn more about the investigation progress of the cases from the section concerned afterwards. When making an arrest, the Police would verbally caution the person under arrest as far as possible. He would obtain more information about the police officers in the vicinity of the DC Conference Room later and added that the Kowloon Welfare Office of the Hong Kong Police Force, which served police officers in Kowloon police districts, was also on the same floor.

45. The Chairman concluded that he suspected that the case was handled by CCB because the driver's personal information had been disclosed after the case, and the emphasis of the case was put on finding the person who had released the information. Even for a common case, the driver should be arrested first for investigation. He then concluded that the Police's law enforcement actions in the past protest activities should be investigated.

(c) Follow up on the relevant information about the disbursement of subsidy for the "N have-nots" by the Community Care Fund (SSPDC Paper 87/20)

46. Mr Jay LI introduced Paper 87/20.

47. The Chairman said that before the meeting, the Secretariat had invited representatives from the Home Affairs Bureau ("HAB") and the Transport and Housing Bureau ("THB") to the meeting but were declined by the parties concerned. Members were asked to refer to the written responses of the bureaux (Papers 105/20 and 106/20).

48. Mr Jay LI thanked the bureaux for providing the data but was disappointed that they could not send representatives to the meeting.

49. Mr Calvin HO opined that the supply of public housing was inadequate and the construction was slow, resulting in soaring property prices and rents and long waiting time for public housing. The Government should implement policies (e.g. tenancy control) to balance the demands in the market and stop continuous rent increase by landlords which further increased tenants' burdens, and provide a subsidy for "N-have nots". Also, the Government should build more public housing and set the land ratio for public and private housing at six to four.

50. Mr WAI Woon-nam said that the Task Force for the Study on Tenancy Control of Subdivided Units (“the Task Force”) would gain an in-depth understanding of the actual situations in sub-divided units (“SDUs”) in the first stage of the work plan through on-site visits and meetings with different concern groups. He regretted that the Task Force did not send representatives to the meeting. He suggested that the Task Force increase DC’s level of participation in the work plan and a letter should be sent to reprimand THB for not sending representatives to the meeting.

51. Mr TAM Kwok-kiu said that as DC would advise on district administration and other affairs, the Task Force should take the initiative to consult DC about tenancy control of SDUs. He criticised the Government’s strategy for handling housing problems as inappropriate and opined that the supply of public housing would be reduced if the units for sale (e.g. units under the Green Form Subsidised Home Ownership Scheme) was increased. He pointed out that it was difficult to rely solely on the Community Care Fund to support SDU residents and hoped that relevant departments would consider providing rent allowances to them.

52. Mr Jay LI opined that the epidemic caused unemployment and it was difficult for tenants to afford high rents. Apart from setting up the Task Force to carry out relevant studies, the Government should also implement practical support measures. He also appealed to the Government to respond to the society’s request immediately and re-implement tenancy control policies.

53. Ms LAU Pui-yuk suggested establishing a dedicated department, creating a SDU database to take follow-up actions, as well as regularising a subsidy for “N-have nots”, so as to improve their welfare and living environment, and the information concerned should be announced as soon as possible. The income or asset tests of the scheme should be carried out on an individual basis instead of a family basis so as to increase the scheme’s flexibility.

54. The Chairman was concerned about the situations of “N-have nots” and residents of SDUs. As the composition of the Task Force included professors, they might gain an understanding of matters about SDUs from an academic perspective instead of a practical one. He suggested that the Secretariat write to invite the Task Force to attend meetings and seek Members’ views.

55. Mr MAK Wai-ming hoped to draw Members’ attention to the composition of the Task Force. The chairman of the Task Force was from the real estate sector and therefore might not be able to lead the Task Force on studying and handling matters about tenancy control. Despite of the difficulties in implementation, the Task Force should still take tenancy control as the development direction.

56. Mr Calvin HO said that THB had attended DC meetings in the past to respond to matters about transitional housing and the smart car park, but it did not attend this meeting on tenancy control and a subsidy for “N-have nots”. As it was difficult for the grassroots not eligible to apply for the Comprehensive Social Security Assistance to afford high rents, he suggested re-introducing tenancy control and providing a subsidy for “N-have nots”. Also, he found it confusing that the political party which had once supported the cancellation of tenancy control now sided with the re-introduction of the very policy. He then introduced the provisional motion, which read as follows:

“Given that the epidemic seriously affects the lives of SDU tenants and the Task Force is unable to respond to the tenants’ pressing needs, this Council requests the Government of the Special Administrative Region to re-introduce tenancy control and reinstate tenancy protection so as to stop the rise in the SDU rents and help alleviate the burden on the grassroots’ lives in the tough economic environment.”

57. The Chairman asked Members to vote on the provisional motion, which was moved by Mr Calvin HO and seconded by Mr Jay LI.

58. Since no Member present at the meeting voted against it or abstained from voting, the Chairman announced that the provisional motion was carried unanimously.

59. The Chairman concluded that the Secretariat would pass the papers concerned to the Task Force and write to invite the Task Force to seek Members’ views.

60. Mr TAM Kwok-kiu said that he hoped the District Officer would ensure that DC could perform its function of advising the Government and THB should also consult DC concerning the above issues in a timely manner.

(d) Request for the Home Affairs Bureau to promote the reform of the Hong Kong Football Association in order to revive Hong Kong football and gather strength of Hong Kong people (SSPDC Paper 88/20)

61. The Chairman said that the Secretariat suggested that Members should focus the discussion on the football development in SSP District.

62. Mr WONG Kit-long introduced Paper 88/20.

63. Mr Jeffrey SIN opined that the problems of the Hong Kong Football Association (“HKFA”) had affected the football development in SSP District. Also, he was dissatisfied that the room for discussion about the paper was restricted.

64. Mr Leos LEE added that it was difficult to focus the discussion only on the football development in SSP District. He opined that football players were not treated well because there were management problems with HKFA and internal reforms should be carried out so as to improve the popularity and development of football.

65. The Chairman said that before the meeting, the Secretariat had invited HAB to the meeting but the Bureau declined. Members were asked to refer to the written response of the Bureau (Paper 110/20).

66. Mr MAK Wai-ming said that the football team of SSP District had obtained superb results in local league championships before. District football teams were a ladder for training young football players and were of vital importance to local football development, but the existing district football teams no longer served such a function. DC had allocated funds to Sham Shui Po Sports Association Limited (“SSPSAL”) before to promote football development but its performance in recent years was average. He suggested that the Sham Shui Po District Office (“SSPDO”) provide more support and promote football development in the district proactively.

67. Mr Lawrence LAU opined that sports such as football were territory-wide activities so it was difficult to have discussion about a district individually. Section 61 of the District Councils Ordinance (“DCO”) (Cap. 547) empowered district councils to give advice to the Government. He suggested that the Home Affairs Department (“HAD”) and the Secretariat interpret DCO broadly as far as possible, allowing DC to give advice and suggestions to the Government on more issues concerning the welfare of the residents in the district.

68. Mr Kalvin HO said that two district football teams had been disbanded recently due to resource problems. As the amount of resources allocated by HAB to football development was too little, the Government should increase the funding to improve athletes’ training facilities and treatment.

69. Mr TAM Kwok-kiu supported the suggestions and motions in the paper. SSP District had a district football team and HKFA’s league championships were also held in the sports grounds in the district. As stakeholder, DC should be allowed to discuss the overall football policy as well as policies related to HKFA. He opined that HAB failed to respond to the suggestions in the paper directly, and the Government should play a role in HKFA’s board of directors as it provided resources to HKFA. He hoped the Bureau would formulate specific policies concerning football development and DC would like to give advice in this regard.

70. Mr Jay LI said that some of the football pitches of the Leisure and Cultural

Services Department (“LCSD”) in the district (e.g. the pitches in Shek Kip Mei Park and Hing Wah Street West) were idle in certain time slots, which might involve management problems. Professional football players were not treated well but the society was not concerned, and an overall policy on football or sports was not available in Hong Kong to support athletes’ professional development. He hoped that by reforming HKFA, local sports development would be improved as a whole.

71. Mr Joshua LI said that this issue was related to DC and hoped that the discussion could be broadened to encourage reforms on district policies. HKFA was “fattening the top at the expense of the bottom” and reforms were needed. The situation about “booking touting” of LCSD venues was serious, showing that there might be problems with the booking system. Also, LCSD’s football pitches did not have home and guest team changing rooms and with outdated facilities, and the turf quality of some pitches was not good. He hoped that LCSD could support local football development, while HAD or SSPDO could play a more significant role.

72. The Chairman said that teenage training, district teams, use of venues, resource allocation, commercial sponsorship and HKFA reforms were closely related to football development. Therefore, only by carrying out comprehensive reforms would local football development be improved.

73. Mr LUK Chi-kwong responded that LCSD’s sports grounds were usually used by schools for holding sports days, or by the public for jogging or having football training/competitions. Sham Shui Po Sports Ground in the district was a venue for the Hong Kong Premier League matches and also the home ground of Lee Man Football Club. The district football team of SSP District, i.e. the football team of SSPSAL, was in HKFA’s First Division League and mainly practised in Sham Shui Po Sports Ground and the artificial turf pitch in Shek Kip Mei Park. Although facilities in sports grounds might not be specially designed for football activities, the Department would give its support and provide suitable venues and facilities to promote football development. Also, in order to allocate venues as fairly as possible, the Department had adopted drawing lots as the means to handle the applications for hiring natural and artificial turf football pitches.

74. Mr WONG Kit-long introduced the two motions in Paper 88/20, which read as follows:

“Motion 1: When allocating funds to HKFA, HAB should decide the amount of funds based on HKFA’s reform results.”

“Motion 2: Regarding the issue of football development in Hong Kong, HAD needs to listen to the views of more professionals in the football field and the public.”

75. The meeting voted on the two motions above.

76. Since no Member present at the meeting voted against them or abstained from voting, the Chairman announced that the two motions above were carried unanimously.

77. The Chairman concluded that the Government should supervise how HKFA use public money as well as the performance of the members of HKFA's board of directors. Football was widely popular but professional football players were not treated well, which might hinder local football development. He hoped that the Government would reform HKFA, provide venues and facilities, develop district football teams, promote football in schools and allow HKFA to lead other stakeholders to promote local football development.

(e) Request for the District Council Secretariat to become independent! (SSPDC Paper 89/20)

(f) Request for the Home Affairs Department to uphold the principle of neutrality and not to intervene and suppress the Council and Members by manipulating the secretariat for political factors or decisions (SSPDC Paper 90/20)

78. The Chairman said that as Papers 89/20 and 90/20 were similar in nature, he suggested discussing the two papers together. Members had no objection.

79. Mr Lawrence LAU introduced Paper 89/20 and then circulated a piece of supplementary information about the Concern Group on the Movement of Opposition to the Proposed Legislative Amendments ("CGMOPLA").

80. The Chairman said that the supplementary information above would be handled as a provisional motion instead of being regarded as a meeting paper.

81. Mr Lawrence LAU agreed to the decision.

82. Mr Leos LEE and Mr WONG Kit-long introduced Paper 90/20.

83. The District Officer briefly introduced Response Paper 108/20 of HAD and added that SSPDO and the DC Secretariat (the Secretariat) under it had always upheld the principle of political neutrality and handled DC affairs, including DC organisation structure, meeting arrangements, Members' applications for reimbursement of expenses, etc., according to DCO as well as other relevant laws, codes and guidelines. Also, many Members in the current-term SSPDC were new and time was needed to adjust to various

areas of work, so he hoped Members would understand.

84. The Secretary gave a consolidated response that the Secretariat would process Members' applications for reimbursement of expenses according to relevant codes and guidelines. As public money was involved in Members' reimbursement of expenses, the Secretariat needed time to do the vetting carefully and she hoped Members would understand. Also, the Secretariat was already following up on all Members' applications for reimbursement of expenses as quickly as possible, and some applications might require longer processing time as submission of supplementary documents and making of clarification statements were needed on multiple occasions. For some of the applications for reimbursement of expenses, the Secretariat needed to seek HAD's views and time was needed for the Department to examine individual applications.

85. Ms Janet NG said that she opined that the Government had new views and interpretations concerning existing laws and codes.

86. The District Officer responded that the support provided to DC by SSPDO had to be in compliance with relevant laws and the Government's interpretations of such laws were consistent.

87. Ms Janet NG suggested that the Secretariat request a Member to submit supplementary documents and make clarification statements only after it had collated and examined the Member's entire application for reimbursement of expenses. She also suggested that clear reimbursement criteria be drawn up for items of publicity materials concerning reimbursement of expenses.

88. Mr Calvin HO opined that the Secretariat processed applications for reimbursement of expenses on publicity materials slower than before and suggested that it announce which expenses on publicity materials were reimbursable. Also, he expressed support for making the Secretariat independent of the Government's administrative structure so as to prevent DC's operations from being affected by the Government's decision.

89. Mr Leos LEE opined that DC should allow discussions about political issues and public policies so as to provide a communication platform for the public to express their views through Members.

90. Mr Ramon YUEN expressed support for the suggestion of establishing an independent secretariat. He opined that the standards used by the Secretariat to process applications for reimbursement of expenses in the current term of DC were different from those in the previous term, and suggested considering the establishment of a working

group to follow up on relevant criteria. Also, DC had discussed political issues as well as issues about public policies before, and he enquired why such issues were classified as conforming with DC's functions. He also hoped that the Secretariat would explain why papers of the second DC meeting were not uploaded.

91. Mr Joshua LI hoped that the Secretariat would upload the agenda, audio recordings and discussion papers of the second DC meeting as soon as possible. Also, he opined that it was not desirable for the Government to decide agendas of district councils based on its legal viewpoints.

92. Mr TAM Kwok-kiu said that based on his understanding of section 61 of DCO, constitutionally speaking, DC could discuss any matters affecting the residents in the district. He opined that DC's operations should not be constrained by the Government.

93. Mr Lawrence LAU enquired why it was only until recently that the Government notified Members that CGMOPLA's terms of reference were not within DC's functions. He added that even if the Government did not provide support to CGMOPLA, he would still hold CGMOPLA meetings.

94. Mr Jay LI opined that the Government's decision-making hindered Members from resolving livelihood issues and caused obstruction to DC's operations.

95. Mr Jeffrey SIN agreed that the DC Secretariat should be made independent of the Government's administrative structure.

96. The District Officer responded that facts had proven that SSPDO always provided full cooperation to DC's work. From 1 January 2020 to now, SSPDO provided support to a total of 50 meetings under DC and processed over 100 funding applications totalling \$9,500,000, which included those for procurement of masks and other anti-epidemic supplies. SSPDO understood Members' determination to serve the public. Despite limited manpower, all SSPDO staff members cooperated with DC to their utmost to deal with all matters in the district, and SSPDO would continue to work closely with Members in future. He appealed for Members' understanding on this.

97. The Secretary responded that although secretarial services could not be provided to DC for its meeting on 11 February 2020 due to the epidemic, the Secretariat had provided the minutes after that meeting, and the minutes had been confirmed in the third DC meeting and uploaded to DC's website. The Secretariat would upload other relevant papers after the meeting. Also, all working group secretaries would discuss and confirm the meeting dates with working group chairmen based on the actual situation, which was a more appropriate and flexible approach. As the procurement of anti-epidemic supplies

including masks involved public money and had effects on residents' health, it had to comply with relevant government regulations.

98. Mr Joshua LI requested the Secretariat to upload the agenda, audio recordings and discussion papers of the second DC meeting to DC's website as soon as possible. He enquired again why the Government did not allow the current-term DC to discuss certain issues.

99. Mr TAM Kwok-kiu said that the Secretariat and SSPDO should review and improve the workflow for handling the meeting papers submitted by Members. He then enquired why the Government did not provide support to individual working groups. He opined that the Government should make performance pledges to ensure work efficiency, and the Secretariat should increase the manpower if it did not have sufficient manpower to support DC's operations.

100. Ms Janet NG said that the Government should explain clearly what documents or supplementary information were missing in the applications in which operating expenses were not yet reimbursed. Also, she requested that clear reimbursement criteria be drawn up for items of publicity materials.

101. Mr Ramon YUEN hoped that the Secretariat would upload the audio recordings and papers of the second DC meeting as soon as possible.

102. The Secretary responded that the Secretariat would follow up on the cases of applications for reimbursement of expenses on publicity materials as soon as possible, and explore whether there was room for improvement in the workflow for handling Members' applications for reimbursement of expenses while in compliance with relevant codes and guidelines. Also, as technical problems were involved in the uploading of the agenda, audio recordings and discussion papers of the second DC meeting to DC's website, the matter would be followed up after the meeting.

[Post-meeting note: The information papers concerned were uploaded to DC's website.]

103. The Chairman asked Members to vote on the motion in Paper 89/20, which was moved by Mr Lawrence LAU and seconded by Ms Janet NG, and it read as follows:

“This Council requests that the DC Secretariat be made independent of the Government's administrative structure. The DC Secretariat will be formed through Members' discussions so that suitable persons will be selected to provide support to meetings and funds will be provided by the Government to support the Secretariat's operations.”

104. The meeting voted on the motion in Paper 89/20 by open ballot and the result was as follows:

For: Ms Eunice CHAU, Ms Zoé CHOW, Mr CHUM Tak-shing, Mr Calvin HO, Mr KONG Kwai-sang, Mr Andy LAO, Mr Lawrence LAU, Mr Joshua LI, Mr Leos LEE, Mr Jay LI, Ms Janet NG, Mr Jeffrey SIN, Mr TAM Kwok-kiu, Mr WAI Woon-nam, Mr WONG Kit-long, Mr YAN Kai-wing, Mr YEUNG Yuk, Mr Ramon YUEN (18)

Against: Ms LAU Pui-yuk (1)

Abstain: (0)

105. The Secretary announced the voting result: 18 Members voted for it, 1 Member voted against it and no Member abstained. The Chairman announced that the motion was carried.

106. The Chairman asked Members to vote on Motion 1 in Paper 90/20, which was moved by Mr Leos LEE and seconded by Mr WONG Kit-long and Mr Jeffrey SIN, and it read as follows:

“Request for the Home Affairs Department and the Secretariat to uphold the principle of ‘political neutrality’ and not to intervene and suppress the Council and Members by manipulating the secretariat for political factors or decisions.”

107. The meeting voted on Motion 1 in Paper 90/20 by open ballot and the result was as follows:

For: Ms Eunice CHAU, Ms Zoé CHOW, Mr CHUM Tak-shing, Mr Calvin HO, Mr KONG Kwai-sang, Mr Andy LAO, Mr Lawrence LAU, Mr Joshua LI, Mr Leos LEE, Mr Jay LI, Ms Janet NG, Mr Jeffrey SIN, Mr TAM Kwok-kiu, Mr WAI Woon-nam, Mr WONG Kit-long, Mr YAN Kai-wing, Mr YEUNG Yuk, Mr Ramon YUEN (18)

Against: (0)

Abstain: Mr Leo HO, Ms LAU Pui-yuk (2)

108. The Secretary announced the voting result: 18 Members voted for it, no Member

voted against it and 2 Members abstained. The Chairman announced that the motion was carried.

109. The Chairman asked Members to vote on Motion 2 in Paper 90/20, which was moved by Mr Leos LEE and seconded by Mr WONG Kit-long and Mr Jeffrey SIN, and it read as follows:

“The Home Affairs Department and the Secretariat immediately process SSPDC Members’ applications for reimbursement of expenses and reimbursement of their staff salary, as well as explaining the reason the expenses concerned are not yet reimbursed after more than five months.”

110. Since no Member present at the meeting voted against it or abstained from voting, the Chairman announced that the motion was carried unanimously.

111. The Chairman asked Members to vote on the provisional motion, which was moved by Mr Lawrence LAU and seconded by Ms Janet NG, and it read as follows:

“Request the District Officer to withdraw the decision of refusing to provide meeting venues and secretarial support to CGMOPLA and discharge his duties again.”

112. The meeting voted on the provisional motion by open ballot and the result was as follows:

For: Ms Eunice CHAU, Ms Zoé CHOW, Mr CHUM Tak-shing, Mr Calvin HO, Mr KONG Kwai-sang, Mr Andy LAO, Mr Lawrence LAU, Mr Joshua LI, Mr Leos LEE, Mr Jay LI, Ms Janet NG, Mr Jeffrey SIN, Mr TAM Kwok-kiu, Mr Ronald TSUI, Mr WAI Woon-nam, Mr WONG Kit-long, Mr YAN Kai-wing, Mr YEUNG Yuk, Mr Ramon YUEN (19)

Against: Mr Leo HO, Ms LAU Pui-yuk (2)

Abstain: (0)

113. The Secretary announced the voting result: 19 Members voted for it, 2 Members voted against it and no Member abstained. The Chairman announced that the provisional motion was carried.

114. The Chairman concluded that a secretariat independent of the Government’s administrative structure was requested to be established to prevent DC’s operations from

being constrained. Also, government departments should handle DC affairs according to consistent criteria. He hoped that the Secretariat could provide clear guidelines on applications for reimbursement of expenses to facilitate the application processing. He also urged the Government to provide support to CGMOPLA.

(g) Follow up on the District Office's support for the meetings and activities organised by the District Council/working groups (SSPDC Paper 91/20)

115. Mr Ramon YUEN introduced Paper 91/20, and enquired whether the Police had given advice to SSPDO on the study of the Working Group on Healthy and Safe Community ("WGHSC"). He suggested drawing up the meeting schedule of WGHSC for the coming year.

116. The District Officer responded that it was noted that the Secretariat had all along maintained close communication with the Chairman of WGHSC. Besides, he had given advice on the study concerned, clarified the theme and content of the relevant study in order to fully relay members' requests and ensure the appropriateness of the content and specifications of the study. Apart from providing administrative support according to previous practice, SSPDO and the Secretariat also needed to ensure that the study concerned complied with the requirements of relevant legislations. The Government considered that since the impacts of tear gas rounds would not vary with geographical locations, the study concerned was not an issue at district level and did not comply with DCO. Therefore, the Secretariat could not continue to provide support. In addition, the Government was a team and the policies were decided by relevant government departments.

117. Mr Joshua LI opined that the number of tear gas rounds fired by the Police varied at different locations, while both the concentration of tear gas and the impacts would vary with geographical locations. The DC meeting had discussed the air pollution problem, which was not an issue at district level as well.

118. Mr WAI Woon-nam suggested WGHSC openly invite organisations to conduct the relevant study on its own and submit reimbursement claims of relevant funding to SSPDO upon the completion of the study.

119. Mr Ramon YUEN enquired whether the Police had given advice to the Government on the study of WGHSC. He said that many issues at district level had widespread impacts. He hoped that the Government would provide concrete and clear guidelines on issues that complied with DCO. He also enquired whether the Government would plan to conduct a territory-wide study on the impacts of tear gas rounds on the community environment and residents.

120. Mr Tony HO responded that he had nothing to add.

121. The District Officer responded that SSPDO and the Secretariat had all along discharged official duties with a sincere and pragmatic attitude. Regarding whether the Government would conduct a territory-wide study on the impacts of tear gas rounds, he said that he did not have the relevant information for the time being.

122. Mr Ramon YUEN said that he suggested DC authorise WGHSC to raise fund in the community for conducting a testing of high quality, and he welcomed Members to put forward their views.

123. Mr CHUM Tak-shing enquired about the details of the reason for non-compliance of the relevant study with DCO.

124. Mr YAN Kai-wing opined that the Government oppressed DC by administrative measures. Since the relevant motion had been carried under statutory mechanism, the payment could be recovered through legal means if it could not be reimbursed.

125. The Chairman said that through the Small Claims Tribunal or judicial review, DC could recover the expenses incurred due to the Government's uncooperativeness in executing the resolution of DC. He then concluded that in view of the high population density in SSP District, the tear gas residue was difficult to disperse and affected the residents' well-being. DC was disappointed that the Government refused to provide support to WGHSC.

126. Mr TAM Kwok-kiu said that the relevant study concerned the well-being of residents and complied with the fund allocation guidelines, yet the Government could not provide a reasonable explanation on its refusal to provide support.

127. Mr Ramon YUEN suggested collecting the activity application forms through Members' ward offices and recovering the relevant expenses by crowd funding or legal means.

128. Mr Leos LEE said that he hoped that SSPDO would note Members' views to maintain the normal operation of DC.

129. The Chairman said that Mr Ramon YUEN was requested to continue to follow up on the activity.

(h) Setting up of a "Hong Kong people's platform for discussing politics"

(i) Objection to the imposition of a national security law for Hong Kong by the National People's Congress

130. The Chairman said that since the Government considered that agenda items (h) and (i) did not comply with the requirements of Section 61 of DCO. The Secretariat had informed before the meeting that it would not provide support for the above agenda items. He then enquired about the reasons for the agenda items concerned violating DCO.

131. The District Officer responded on behalf of the Government that the Secretariat had informed DC Chairman by e-mail before the meeting that since the Government considered that the relevant agenda items were not district affairs, the discussion on the papers concerned did not comply with the functions of DC stipulated in DCO. The representatives of government departments present at the meeting would leave the meeting.

Agenda Item 3: Reports from Committees and Working Groups under the District Council

(a) Reports from Committees

- (i) Report from the District Facilities Committee (SSPDC Paper 92/20)
- (ii) Report from the Community Affairs Committee (SSPDC Paper 93/20)
- (iii) Report from the Environment and Hygiene Committee (SSPDC Paper 94/20)
- (iv) Report from the Planning Development and Transport Affairs Committee (SSPDC Paper 95/20)
- (v) Report from the Housing Affairs Committee (SSPDC Paper 96/20)

132. The meeting noted and endorsed the content of the aforesaid reports.

(b) Reports from the Working Groups directly under the District Council

- (i) Reports from the Working Group on Healthy and Safe Community (SSPDC Papers 97/20 and 98/20)
- (ii) Report from the Working Group on Poverty Problems and Ethnic Minorities (SSPDC Paper 99/20)
- (iii) Report from the Working Group on Pang Tsai and Fashion Base (SSPDC

Paper 100/20)

133. Mr Ramon YUEN said that WGHSC had endorsed a revised open invitation for the study on tear gas rounds at its fifth meeting, yet the relevant record was not found in Paper 98/20. Members were requested to take note.

134. The meeting noted and endorsed the content of the aforesaid reports.

Agenda Item 4: Any other business

(a) Application for DC funds

135. The Chairman reminded Members to declare interest in accordance with the Sham Shui Po District Council Standing Orders (“Standing Orders”). If a Member disclosed an interest, the Chairman had to decide whether he should speak or vote, remain in the meeting as an observer or withdraw from the meeting.

Application No: 200092

136. The Chairman asked Members to consider the funding application for YMCA of Hong Kong to organise the “12th Sham Shui Po District Multiethnic Cultural Festival” (Application No: 200092) and the amount was \$122,400.

137. Ms Janet NG said that the expense on media publicity was not a standard expenditure item under the Guidelines on the Use of Sham Shui Po District Council Funds for Community Involvement Projects (“DC Funds Guidelines”). She enquired whether a maximum amount of allocation would be set for expenditure of the same type as a reference for vetting the expense concerned in the future.

138. Mr KONG Kwai-sang said that the Working Group on Poverty Problems and Ethnic Minorities (“WGPPEM”) had discussed the above expenditure item, yet relevant information had not been obtained at that time. Hence, the applicant organisation was required to report the effectiveness of media publicity upon the completion of the activity, including the hit rate and the number of audience. Regarding the expenditure item concerned, a professional cartoonist would be hired for designing a series of publicity materials.

139. Mr Leos LEE said that although the item concerned was not a standard expenditure item under the DC Funds Guidelines, online platforms could promote the activity extensively, increase the number of participants and enhance the effectiveness of the activity. By assessing the effectiveness of the activity, the Council could decide

whether to approve expenditure of the same type in the future.

140. Mr Joshua LI suggested including expense of the same type into the standard expenditure items, and requested the applicant organisation to provide reasons in details for items not included in the DC Funds Guidelines.

141. Mr Ramon YUEN said that the working group could make reference to the hit rates and number of audience of other social media so as to formulate a measurable performance index for the applicant organisation.

142. Ms Carman NG said that the Vetting Sub-Committee (“VSC”) had also approved expenditure item of the same type, and suggested devising criteria for claiming expenses on media publicity.

143. The Chairman suggested that the effectiveness of publicity on the activity be assessed by WGPPEM.

144. Mr Leos LEE said that since the ways of publicity varied among different social media, it was difficult to formulate a standardised performance index.

145. Mr WAI Woon-nam said that VSC would review the content of the DC Funds Guidelines as soon as possible to meet the needs of community development.

146. Mr KONG Kwai-sang said that the expenditure item concerned was not about posting advertisements on social media, thus the effectiveness of the publicity could not be assessed based on the same standard. However, WGPPEM would request the applicant organisation to provide a concrete assessment index.

147. Mr CHUM Tak-shing enquired whether the situation of the reimbursement of the expense concerned being rejected after endorsement of the funding application would occur.

148. Mr TAM Kwok-kiu said that the Secretariat could collect data about the matter of adjustment of standard expenditure under the DC Funds Guidelines.

149. Since no Member voted against the application or abstained from voting, the Chairman declared that the funding application (Application No. 200092) was endorsed unanimously by Members present at the meeting.

Application No: 200093

150. The Chairman asked Members to consider the funding application for YMCA of Hong Kong to organise “My Community, My Story - 2020” (Application No: 200093) and the amount was \$40,000.

151. Since no Member voted against the application or abstained from voting, the Chairman declared that the funding application (Application No. 200093) was endorsed unanimously by Members present at the meeting.

Application No: 200094

152. The Chairman asked Members to consider the funding application for YMCA of Hong Kong to organise “Integration Learning Programme for Women” (婦女身心靈共融學堂) (Application No: 200094) and the amount was \$46,000.

153. Since no Member voted against the application or abstained from voting, the Chairman declared that the funding application (Application No. 200094) was endorsed unanimously by Members present at the meeting.

(b) Hong Kong Pride Parade 2020- invitation for the Sham Shui Po District Council to be the supporting organisation (SSPDC Paper 101/20)

154. The Chairman said that a letter had been received from Hong Kong Pride Parade Committee (“HKPPC”) before the meeting which invited DC to be the supporting organisation of the above activity, and applied for authorisation to display the DC logo for the publicity activities and materials of the parade. Besides, the parade was tentatively scheduled for 14 November 2020. The details were set out in Paper 101/20.

155. Mr Ramon YUEN agreed with the above arrangements, and enquired whether the matter of authorisation to use the DC logo belonged to district affairs.

156. The Secretary responded that the matter of use of the DC logo would be handled in accordance with the Standing Orders.

157. The Chairman said, as reminded by the Secretariat, the Police had not yet issued the Letter of No Objection to the activity for the time being. Therefore, a reply of DC agreeing to be the supporting organisation of the activity and authorising the organiser to use the SSPDC logo would only be sent after the Letter of No Objection was officially issued to the activity.

158. Mr Ramon YUEN did not agree with the above arrangements, and said that the

public had the freedom of assembly under the Basic Law. Hence, DC being the supporting organisation of the above activity should not depend on whether the Letter of No Objection was issued to the parade.

159. Mr Leos LEE said that the Letter of No Objection should not be taken into account when DC considered whether to support the activity concerned.

160. Ms Carman NG enquired whether DC could agree to be the supporting organisation first, and authorise the display of the DC logo for the publicity activities and materials concerned after the Letter of No Objection was issued to the activity.

161. The Secretary said that Members' views were noted. However, the invitation from the organiser included obtaining the support from DC and the right to use the DC logo. The Council was suggested to follow the Standing Orders to handle the above matter.

162. The Chairman said that since it was not possible to anticipate when the Letter of No Objection would be issued, if the authorisation of the use of the DC logo was given only after the above document was issued to the activity, the publicity work of the parade might be affected. If no Member indicated objection, he suggested that the Council be the supporting organisation in the name of SSPDC and authorise the organiser to use the DC logo for publicity work.

163. Ms Janet NG said that the freedom of assembly was a basic right of citizens, and opined that the Letter of No Objection aimed at informing the Police of the need to assist the public in holding a peaceful public event instead of seeking approval from the Police. Therefore, she had reservation on the approach of DC agreeing to be the supporting organisation and authorising the use of the DC logo only after the Letter of No Objection was issued to the activity.

164. Mr CHUM Tak-shing said that he supported the content of the paper, and opined that the organiser's invitation for DC to be the supporting organisation and its request for the use of the DC logo should not be handled separately.

165. Mr Leos LEE agreed with the above views of the Members, and said that the Letter of No Objection intended to notify the Police that the activity would be held soon. He suggested Members consider endorsement of Paper 101/20 based on the principle of whether DC was suitable for being the supporting organisation.

166. Since Members present at the meeting did not vote against the paper or abstained from voting, the Chairman declared that SSPDC agreed to be the supporting organisation

of the above activity and authorised the organiser to use the DC logo.

167. Mr Jeffrey SIN said that some residents had relayed that logos of other resident organisations had been found in the joint office of a Legislative Council (“LegCo”) Member in the past, which might involve inappropriate publicity. He enquired whether the relevant LegCo Member had made declaration when claiming reimbursement of operation expenses of the office. It was noted that there was a LegCo Member who, after being appointed as Politically Appointed Official, still displayed the LegCo logo and the post title of LegCo Member in his/her joint office. He enquired whether the above situation violated relevant guidelines.

168. Ms LING Kuk-yi responded that HD was handling the case mentioned by Member. It was believed that the party concerned needed time to handle the tenancy matters of the former Member’s ward office (“ward office”).

169. The Chairman enquired whether HD had set a deadline for the vacating Member to return the ward office.

170. Ms LING Kuk-yi responded that if a Member left in the middle of the term, he/she must return the relevant ward office as soon as possible. According to the established policy of the Department, Members who could not be re-elected must return the ward office upon the expiry of the tenancy agreement. Members who could not return the unit on time might apply for continuing to use the office for two months in the form of temporary permit.

171. Ms Janet NG said that in the past, HD had required Members to immediately remove the publicity materials of other resident organisations which had been posted in the office. She questioned that the Department had different enforcement standards. She opined that the Department had the responsibility to monitor whether the ward offices were solely used for discharging official duties. If Members left in the middle of the term, the ward offices should cease operation and the units should be returned immediately.

172. Mr Ramon YUEN said that HD would accord priority to allocating ward offices to the elected DC Members and other DC Members of the same district. If Members who could not be re-elected or vacating Members occupied the ward offices for prolonged period of time, it would be unfair to other incumbent DC Members who had not yet been allocated with ward offices. He intended to apply for use of a unit in Lai On Estate as the ward office, and he requested the Department to handle the matter of unit return by the vacating Member as soon as possible.

173. Mr CHUM Tak-shing said that HD should handle the follow-up work on the return of ward offices by vacating Members or Members who could not be re-elected as soon as possible in order to optimise the use of public resources and avoid delaying the hiring of ward offices by incumbent Members.

174. Mr Jeffrey SIN said that he was dissatisfied that HD had not closed the ward offices for vacating Members or taken suitable actions as early as possible.

175. The Chairman said that in accordance with HD's guidelines, the names of the Members concerned must be displayed clearly in the units to be used as ward offices. He asked whether the Department had followed the above guidelines correctly for the case concerned. He then enquired about the deadline for returning the ward office in Lai On Estate.

176. Ms LING Kuk-yi responded that Members' views were noted, and HD was still handling the above case for the time being.

177. The Chairman said that he and other Members would monitor whether non-compliant publicity materials were found in the ward office concerned.

Agenda Item 5: Date of next meeting

178. The next meeting would be held at 9:30 a.m. on 8 September 2020 (Tuesday).

179. There being no other business, the meeting ended at 5:10 p.m.

District Council Secretariat
Sham Shui Po District Office
September 2020