

**Sha Tin District Council**  
**Minutes of the 3<sup>rd</sup> Meeting of**  
**the Finance and General Affairs Committee in 2016**

**Date** : 17 May 2016 (Tuesday)  
**Time** : 2:30 pm  
**Venue** : Sha Tin District Council Conference Room  
 4/F, Sha Tin Government Offices

<b><u>Present</u></b>	<b><u>Title</u></b>	<b><u>Time of joining the meeting</u></b>	<b><u>Time of leaving the meeting</u></b>
Mr MOK Kam-kwai, BBS(Chairman)	DC Member	2:30 pm	4:00 pm
Ms WONG Ping-fan, Iris(Vice-Chairman)	"	2:30 pm	4:00 pm
Mr HO Hau-cheung, BBS, MH	DC Chairman	2:30 pm	4:00 pm
Mr PANG Cheung-wai, Thomas, SBS, JP	DC Vice-Chairman	2:30 pm	4:00 pm
Mr CHAN Billy Shiu-yeung	DC Member	2:30 pm	4:00 pm
Mr CHAN Kwok-keung, James	"	2:49 pm	3:58 pm
Ms CHAN Man-kuen	"	2:30 pm	4:00 pm
Mr CHAN Nok-hang	"	2:30 pm	4:00 pm
Mr CHING Cheung-ying, MH	"	2:30 pm	4:00 pm
Mr CHIU Chu-pong, Sunny	"	2:30 pm	4:00 pm
Mr CHIU Man-leong	"	2:30 pm	4:00 pm
Mr HUI Yui-yu, Rick	"	2:30 pm	3:58 pm
Mr LAI Tsz-yan	"	2:47 pm	3:52 pm
Ms LAM Chung-yan	"	2:30 pm	4:00 pm
Mr LEUNG Ka-fai, Victor	"	2:30 pm	4:00 pm
Mr LI Sai-hung	"	2:30 pm	3:58 pm
Mr LI Sai-wing	"	2:30 pm	4:00 pm
Mr LI Wing-shing, Wilson	"	2:30 pm	3:53 pm
Mr NG Kam-hung	"	2:30 pm	4:00 pm
Mr PUN Kwok-shan, MH	"	2:30 pm	4:00 pm
Mr TING Tsz-yuen	"	2:30 pm	4:00 pm
Mr TONG Hok-leung	"	2:30 pm	4:00 pm
Ms TSANG So-lai	"	2:30 pm	4:00 pm
Ms TUNG Kin-lei	"	2:30 pm	4:00 pm
Mr WAI Hing-cheung	"	2:30 pm	4:00 pm
Mr WONG Fu-sang, Tiger	"	2:30 pm	4:00 pm
Mr WONG Hok-lai	"	2:47 pm	3:58 pm
Mr WONG Ka-wing	"	2:30 pm	4:00 pm
Mr WONG Yue-hon	"	2:30 pm	4:00 pm
Mr YAU Man-chun	"	2:30 pm	4:00 pm
Mr YIP Wing	"	2:30 pm	4:00 pm
Mr YIU Ka-chun	"	2:30 pm	4:00 pm
Ms YUE Shin-man	"	2:30 pm	4:00 pm
Mr YUNG Ming-chau, Michael	"	2:30 pm	4:00 pm
Mr CHOW Yik-lam, Martin (Secretary)	Acting Executive Officer I (District Council) 1 / Sha Tin District Office		

**In Attendance**

Mr WONG Tin-pui, Simon  
Mr YUEN Chun-kit, Derek

**Title**

Assistant District Officer / Sha Tin District Office  
Senior Executive Officer (District Council) / Sha Tin District Office

**Absent**

Mr MAK Yun-pui  
Ms PONG Scarlett Oi-lan  
Mr LEE Chi-wing, Alvin

**Title**

DC Member (Application for leave of absence received)  
" ( " )  
" (No application for leave of absence received)

**Action**

The Chairman welcomed all members to the meeting.

**Application for Leave of Absence**

2. The Chairman said that the Secretariat had received written applications for leave of absence from the following members:

Mr MAK Yun-pui	Sickness
Ms Scarlett PONG	Official commitment

3. Members unanimously endorsed the applications for leave of absence submitted by the members above.

**Confirmation of the Minutes of the Meeting Held on 15 March 2016**

(FGAC Minutes 2/2016)

4. Members unanimously confirmed the above minutes.

**Discussion Items****Amendment to the Sha Tin District Council Standing Orders**

(Paper No. FGA 12/2016)

5. Mr Martin CHOW, Acting Executive Officer I (District Council) 1 of the Sha Tin District Office briefly introduced the content of the paper.

6. The views of Mr Michael YUNG were summarised below:

- (a) regarding the amendment to the original motion, he believed that the "accepted amendment" in the proposed article was misleading and made people think that the motion endorsed by District Council (DC) Members could not be amended again after the meeting. To avoid confusion, he believed that the wording "before voting" should be included in the article;
- (b) he asked why the maximum number of members of a working group was proposed to change to 15;
- (c) he asked whether the Chairmen and Vice-Chairmen of different committees were consulted regarding the amendment proposal to the Sha Tin District Council Standing Orders (Standing Orders);

- (d) he believed that the discussion papers of working groups should be uploaded to the website of the Sha Tin District Council (STDC) for public perusal;
- (e) he asked how Sha Tin District Office (STDO) could ensure that papers submitted by government departments were delivered to all DC Members five net working days before the meetings instead of having the papers delivered to DC Members on the day of the meetings; and
- (f) if members could not reach consensus, there would still be no solutions even by postponing the agenda to STDC meetings.

7. The views of Mr CHAN Nok-hang were summarised below:

- (a) he enquired about the definition of closed meeting. Regarding the stipulation for a working group that “at least one quarter of the members being DC Members”, he believed that the proportion of DC Members was too low and suggested that at least half of the members be DC Members; and
- (b) as no co-opted member had been appointed, he believed that it was not yet the right time to amend Article 39(7) of the Standing Orders.

8. The views of Mr TING Tsz-yuen were summarised below:

- (a) he believed even if the agenda was postponed to the STDC meeting for voting, DC Members still had not enough time to discuss the paper; therefore, he proposed to postpone the agenda and have the standing working group formed later to discuss in detail the amendment proposals for the Standing Orders;
- (b) regarding “Determination Of Matters By Circulation Of Papers”, he believed that the article “no proposal shall be raised again regarding the issues in the circulation papers within half a year” should be added; and
- (c) he believed that it was inappropriate to vote on the amendment proposals for the Standing Orders at the meeting that day and suggested forming an ad hoc working group for further discussion, and submitting the proposal to the Committee for discussion.

9. The views of Mr CHING Cheung-ying were summarised below:

- (a) he believed that some DC Members did not fully understand the Standing Orders. He did not agree that DC Members should discuss the paper without sufficient preparation;
- (b) he asked the Secretariat what the meaning was behind the amendment proposal for paragraphs 4(a) and (b) and how to “make the Standing Orders clearer”;
- (c) he asked what the function of circulation of papers was in the determination of matters;

- (d) he believed that at least half of the members in a working group should be DC Members;
- (e) as no co-opted member had been appointed, he believed that it was not yet the right time to amend Article 39(7) of the Standing Orders;
- (f) he asked how urgent it was to amend the Standing Orders, and how the operation of the STDC would be affected without amendments;
- (g) he believed that the amendment proposal for Article 7(1) would deprive the chairmen of different committees of the power to allow the departments to deliver papers to their members;
- (h) he believed that the amendment proposal for Article 47 would make DC Members confused about the definition of “written form”; and
- (i) he believed that the Committee was supposed to have the flexibility in deciding on the members of ad hoc working group.

10. The views of Mr WONG Yue-hon were summarised below:

- (a) he enquired about the definition of closed meeting, and who could decide to hold the meeting behind closed doors;
- (b) some papers relating to the agenda of committees were forwarded to members with the approval of the STDC Chairman, and he asked whether the power of approving the forwarding of papers rested with the STDC Chairman or committees chairmen; and
- (c) he believed that there should be little impact on the operation of the STDC if the Standing Orders was not amended, but he agreed that the amendment matters should be handled as soon as possible.

11. Ms LAM Chung-yan pointed out that the paper was issued on 10 May this year, and if the amendment proposals were postponed, the operation of the STDC and its working groups might be affected. Some DC Members suggested that at least half of the members in a working group be DC Members, which she thought the intention was good but it was difficult to implement.

12. Mr Thomas PANG considered it desirable to amend and improve the Standing Orders. He suggested setting aside the agenda for further discussion in the next STDC meeting after the Secretariat had collected the views of members and amendments that might help improve the STDC operation had been proposed.

13. Mr WAI Hing-cheung proposed to convene a special meeting or a working group meeting for members to discuss the amendment proposals for the Standing Orders.

14. The views of Mr HO Hau-cheung were summarised below:

- (a) he believed that amendments to the Standing Orders were meant to improve the operation of the STDC but agreed that members needed more time to

study the amendment proposals. The amendment proposal for Article 21 of the Standing Orders was rather unusual, so he believed that the Secretariat needed to explain the article regarding the negation of the original motion in more detail;

- (b) the proposal that at least half of the members in a working group should be DC Members was difficult in implementation;
- (c) the question raised by Mr WONG Yue-hon regarding the authority of the STDC Chairman was not within the scope of the amendment proposals. The authority of the STDC Chairman was otherwise specified in the Standing Orders. He said that members could have further discussions on sections they thought needed to be amended;
- (d) although members were supposed to have read the paper in detail before the meeting, but as the content of the paper was rather complicated, he agreed that there was no need for members to rush to reach a decision at the meeting that day. He suggested having further discussions and taking a vote at the next STDC meeting;
- (e) he agreed with the proposal of Mr WAI Hing-cheung, believing that the Committee could consider forming an ad hoc working group to further discuss the amendment proposals for the Standing Orders; and
- (f) he suggested discussing urgent amendment proposals in the next STDC meeting.

15. Mr YIU Ka-chun suggested that at least one-third of the members in a working group be DC Members. Mr CHING Cheung-ying and Mr YIU Ka-chun suggested extending the terms of reference of the ad hoc working group proposed to be formed so that the working group could join the discussion on the amendment proposals for the Standing Orders.

16. The Chairman submitted the urgent amendment proposal, namely articles relating to the formation of the working group, to the next STDC meeting for further discussion and set aside other articles of the agenda item. He also suggested discussing whether to form a working group (ad hoc) to follow up on the amendment proposals for the Standing Orders at a later time. Members unanimously supported the Chairman's suggestion.

17. Mr Simon WONG, Assistant District Officer of the STDO gave a consolidated response as follows:

- (a) the amendment proposals contained in the paper were mainly divided into three aspects: (1) amend the articles of the Standing Orders according to the sample issued by the Home Affairs Department; (2) propose to add or amend the articles of the Standing Orders with reference to the actual operation conditions of the STDC; and (3) propose to add or amend the articles of the Standing Orders on the premise of improving the efficiency of the working group. The amendment proposals in the paper were not final, and the Secretariat would amend the Standing Orders based on members' views;

- (b) regarding Article 21 of the Standing Orders, the purpose of amendment was to clarify the roles. For motions proposed by members, as the Secretariat would only provide assistance on paperwork, it was suggested that the wording “to instruct the Secretary” be deleted. The “accepted motion” referred to the original motion that the Chairman agreed to deal with instead of the motion that had been voted on;
- (c) regarding Article 43 of the Standing Orders, minutes of meetings of working groups would be uploaded to the STDC website. Meetings of working groups were generally not held behind closed doors, unless otherwise decided after consulting DC Members/committees members, for example, the discussion of price quotation or tendering matters;
- (d) regarding Article 7(1) of the Standing Orders, it was prescribed in the Standing Orders that meeting agenda must be approved by the Chairman before the meeting. As for meeting papers, the government department concerned or members proposing the agenda item should stick to the principle of “being responsible for the paper they bring forward” to ensure the content of the paper was correct. The Secretariat would keep close liaison with government departments to ensure that the departments concerned abided by the Standing Orders to submit the paper on time. If the departments concerned intended to submit more additional information for members to discuss at the meeting, the Secretariat would provide assistance accordingly;
- (e) regarding Article 47 of the Standing Orders, the amendment proposals in the paper were only amendments to the wording, and the purpose was to clarify restrictions on the STDC when dealing with different types of circulation papers so that DC Members would have clearer rules to refer to, and no changes were made to the way of dealing with circulation papers. DC Members expressed their views on the circulation papers either by agreeing or disagreeing with relevant papers or not replying to the circulation papers. The supplemented article to Article 47(1) of the Standing Orders was to express more clearly the meaning of an absolute majority of votes;
- (f) the amendment proposal regarding the upper limit of the number of members of a working group was for reference only. He believed the upper limit of the number of members of a working group should be discussed by members and submitted to the STDC for endorsement. Based on experience and actual situations, the number of DC Members in some working groups was less than half of the total number of members of the working groups. The purpose of keeping the wording “co-opted member” in Article 39(7) of the Standing Orders was to make the content of the Standing Orders more flexible so as to adapt to different situations;
- (g) in response to the question raised by Mr WONG Yue-hon, he explained in the meeting of the Health and Environment Committee (HEC) held in the previous week that when members of the public wrote to the STDC Secretariat to express their views, the Secretariat would forward these views to all committee members with the approval from the STDC Chairman; and

- (h) as for the proposal to postpone the agenda item to the STDC meeting for discussion, he pointed out that STDC confirmed at the meeting held on 7 January 2016 to review other amendment proposals for the Standing Orders after the commencement of operation of the Finance and General Affairs Committee (FGAC); therefore, the agenda item could be submitted to STDC for further discussion with the agreement of members.

Amendment to the Procedures and Rules of Application for Sha Tin District Council Funds And Formation of Working Groups (Ad Hoc) under the Committee  
(Paper No. FGA 13/2016)

18. Mr CHING Cheung-ying was in favour of the proposal to form an ad hoc working group and suggested extending the terms of reference of the working group so that it could join the discussion of the amendment proposals for the Standing Orders.

19. Mr Simon WONG pointed out that the purpose of the proposed ad hoc working group was to review the funding expenditure items. Forwarding the work of amending the Standing Orders to the working group would hinder working group members from focusing on discussing matters of the funding expenditure items.

20. The Chairman asked members to consider whether they agreed with the proposal made in the paper with regard to the formation of the Working Group on Review of Funding Criteria of Sha Tin District Council (Ad Hoc) and the endorsement of its terms of reference.

21. Members unanimously endorsed the formation of the Working Group on Review of Funding Criteria of Sha Tin District Council (Ad Hoc) and its terms of reference.

22. The Chairman suggested electing a convenor of the working group in accordance with the following criteria and procedures:

- (a) the convenor of the working group shall be a DC Member;
- (b) each candidate shall be nominated by one member and seconded by at least two other members;
- (c) if there is only one candidate, the candidate shall be deemed elected ipso facto; and
- (d) if there is more than one candidate, a vote will be taken on candidates in sequential order of their nomination by a show of hands among members present, and the candidate who wins an absolute majority of votes is elected.

23. Members unanimously endorsed the election of the convenor of the working group in accordance with the above criteria and procedures.

24. The Chairman asked members to nominate candidates as the convenor of the Working Group on Review of Funding Criteria of Sha Tin District Council (Ad Hoc).

<u>Candidate</u>	<u>Nominator</u>	<u>Seconders</u>
Mr CHING Cheung-ying	Mr HO Hau-cheung	Mr TING Tsz-yuen Mr CHAN Nok-hang

Mr Michael YUNG  
Mr James CHAN  
Mr PUN Kwok-shan

25. As no other nomination was made at the meeting, the Chairman announced the immediate close of nomination and Mr CHING Cheung-ying was elected unopposed as the convenor of the Working Group on Review of Funding Criteria of Sha Tin District Council (Ad Hoc).

26. Mr HO Hau-cheung thanked Mr CHING Cheung-ying for serving as the convenor of the above working group and expected that he could lead the group to review the funding criteria of STDC.

27. The Chairman agreed with the proposal of Mr HO Hau-cheung.

Formation of Working Groups under the Committee  
(Paper No. FGA 14/2016)

28. The Chairman asked members to consider whether they agreed with the proposal made in the paper with regard to the formation of the Working Group on Public Relations and Publicity and the endorsement of its terms of reference.

29. Members unanimously endorsed the formation of the Working Group on Public Relations and Publicity and its terms of reference.

30. The Chairman suggested electing a convenor of the working group in accordance with the following criteria and procedures:

- (a) the convenor of the working group shall be a DC Member;
- (b) each candidate shall be nominated by one member and seconded by at least two other members;
- (c) if there is only one candidate, the candidate shall be deemed elected ipso facto; and
- (d) If there is more than one candidate, a vote will be taken on candidates in sequential order of their nomination by a show of hands among members present, and the candidate who wins an absolute majority of votes is elected.

31. Members unanimously endorsed the election of the convenor of the working group in accordance with the above criteria and procedures.

32. The Chairman asked members to nominate candidates as the convenor of the Working Group on Public Relations and Publicity.

<u>Candidate</u>	<u>Nominator</u>	<u>Seconders</u>
Mr Victor LEUNG	Mr LI Sai-wing	Ms LAM Chung-yan Mr CHIU Man-leong Ms TUNG Kin-lei Mr Tiger WONG



33. As no other nomination was made at the meeting, the Chairman announced the immediate close of nomination and Mr Victor LEUNG was elected unopposed as the convenor of the Working Group on Public Relations and Publicity.

Financial Year 2015-2016 Sha Tin District Council Account Statement  
(Paper No. FGA 15/2016)

Financial Year 2016-2017 Approved Estimates of the Expenditure Head under the Committee  
(Paper No. FGA 16/2016)

Financial Account of the Sha Tin District Council as at 30 April 2016  
(Paper No. FGA 17/2016)

34. Members noted the above three papers.

**Date of Next Meeting**

35. The next meeting would be held at 2:30 pm on 12 July 2016 (Tuesday).

36. The meeting ended at 4:00 pm.

Sha Tin District Council Secretariat  
STDC 13/15/50

July 2016