

For information
on 19 November 2020



STDC Paper 96/2020 (Amended)

Sha Tin District Council

Report on the meeting of the
Finance and General Affairs Committee held on 10 November 2020

- (1) The Committee endorsed the following:
 - (i) the minutes of the meeting on 14 July 2020; and
 - (ii) the updated membership list of a working group under the Committee.
- (2) The Committee discussed the following:
 - (i) the minutes of the meeting on 15 September 2020, and the following 3 provisional motions were proposed:
 - (a) “The Finance and General Affairs Committee (FGAC) of the Sha Tin District Council unanimously demands that Executive Officer I (District Council) 1, i.e. Mr HO Kin-nam, David at present, be reinstated as the secretary of the FGAC; and that District Officer (Sha Tin) or Assistant District Officer (Sha Tin) attend FGAC meetings.” (Unanimously passed);
 - (b) “Background:

The Sha Tin District Office (STDO) issued a letter to Mr LIAO Pak-hong, Ricardo and Mr YEUNG Sze-kin in the name of District Officer/Shan Tin (DO/ST) on 11 September 2020 to inform them of a complaint that the STDO had received about flyers unrelated to the scope of work of District Council members posted on notice boards or flyers without a District Council member’s signature. According to Order 53(1) of the Sha Tin District Council Standing Orders, the District Council Logo must be only used for official purposes related to the business of the Council. Hence, the letter was ‘to remind and solemnly point out that District Council members should avoid

posting flyers that are not related to the business of the Sha Tin District Council on the notice boards.’ (See Annex 1)

Later, at the fifth meeting of the Finance and General Affairs Committee (FGAC) of the Sha Tin District Council (STDC) on 15 September 2020, District Council members discussed it with the STDO and Assistant District Officer/Shan Tin. A number of members pointed out that the STDO had not been able to validate the complaint, and the STDO had yet to provide evidence of the complaint’s credibility. A number of members consequently asked that the STDO withdraw the letter.

Afterwards, at the meeting of the STDC, DO/ST said she had never seen the letter and did not send it.

Unfortunately, the STDO not only ignored the FGAC’s request at the fifth meeting for withdrawing the letter, but also reissued the same letter to the District Council members concerned in the name of the STDC Secretariat after the meeting. (See Annex 2)

Motion

The FGAC of the STDC strongly condemns the sloppiness of the STDC Secretariat and its false use of the name of DO/ST, which led to false allegations against DO/ST. It also demands that the STDC Secretariat withdraw the letter, and carry out investigation to validate complaints about STDC members upon receiving them before contacting the relevant members for follow-up actions in the future.” (Unanimously passed);

(c) “Background:

Despite occasional delays and hiccups, the Sha Tin District Council (STDC) Secretariat is all in all processing the Operating Expenses Reimbursement (OER) smoothly. The Secretariat is willing to verbally request rectifications of expenses failing to meet reimbursement conditions and ask District Council members to provide written declarations to process disputed expenses, so as to

streamline administrative procedures.

However, in order to undermine the people's right to strike and to stop people from voting in more District Council members that represent their voices, the Homes Affairs Bureau (HAB) uncharacteristically and directly interfered with the relevant OER arrangements in an attempt to pressure the members financially. It also disrupted the established OER arrangements.

Nevertheless, the HAB's scheme has not succeeded, as most of the members are still steadfast in carrying out their duties as the voice of the people and participated as planned in the 'referendum on strike' and the primaries. Thereafter, the HAB gave another order to the Home Affairs Department (HAD), asking the members to fill out statements to exclude the operating expenses on the dates of the 'referendum on strike' and the primaries, which was a superfluous gesture against the usual practice in an attempt to delay the OER unrelated to the 'referendum on strike' or the primaries.

After all, to strike and to vote are two basic rights of the people. The District Council members' assistance and support are the manifestation of the people's opinions and a part of civic education. The HAB's intentional obstruction is a gesture against our time and the people's opinion and will stir public grievances.

Provisional motion:

The Finance and General Affairs Committee (FGAC) of the STDC opines that it is against the normal practice for the HAB and the HAD to ask District Council members to fill out forms to exclude the operating expenses on the dates of the 'referendum on strike' and the primaries. This superfluous gesture delayed the handling of the OER and those in June and July are still not yet processed by November. Certain expenses unrelated to the 'referendum on strike' and the primaries are also affected. Therefore, the HAB and the HAD appear to be delaying the handling of the OER, which calls into question if they are abusing their authority and disregarding proper procedures. The FGAC expresses deep regret about their decision

and asks that the STDC Secretariat process the members' OER in June and July according to the statements of the members and the normal practice." (Unanimously passed);

- (ii) the responses of government department to matters arising from the previous meeting and the following provisional motion was proposed:

"Background of the motion: The Finance and General Affairs Committee (FGAC) of the Sha Tin District Council (STDC) was shocked to be informed during the meeting today that the Sha Tin District Office (STDO) had all of a sudden altered the name of the conference room of the FGAC from 'Sha Tin District Council Conference Room' (STDC Conference Room) to 'Sha Tin District Office Conference Room' (STDO Conference Room).

The STDO did not communicate in advance with the FGAC regarding this matter or address the questions the Committee put forth, e.g. who gave the order, the rationale for the alteration, the authority behind it and when the alteration took place. Mr LIU Wai-man, Raymond, Senior Executive Officer (District Management) of the STDO, in response to the questions, claimed that 'The name of the conference room had been wrong all along' and that the alteration was 'reverting to the original and setting things right'. He refused to further explain his wording afterwards.

The FGAC looked through government papers and the Committee's records, and found that there were over thousands of records documenting 'STDC Conference Room'. The Government has also acknowledged and used the wording of 'STDC Conference Room' countless times. The claim that 'The name of the conference room had been wrong all along' is truly unfathomable.

The FGAC opines that it must take a firm stance on the matter.

Motion: The FGAC strongly condemns the STDO for taking liberties in altering the name of the STDC Conference Room; demands that the STDO immediately explain who gave the order to alter the name, the rationale for the alteration, the authority behind it and when the alteration took place; and demands that the name of 'STDC Conference Room', which has been

in use for a long time, be reinstated immediately.” (Unanimously passed);

- (iii) Criteria and Arrangements for the Use of the Conference Room and the following provision motion was proposed:

“Background of the motion:

It has been an eventful period since members of the 7th term of the Finance and General Affairs Committee (FGAC) of the Sha Tin District Council (STDC) took office, and there is a huge backlog of agenda items to be handled. Although members of the FGAC reached a consensus to request additional meetings, the Secretariat had failed to arrange a conference venue for the FGAC as per its instructions. The FGAC therefore could not convene and effectively operate.

During the first wave of the Wuhan pneumonia outbreak in the beginning of the year, the FGAC was deeply concerned that the anti-epidemic measures of the Government were insufficient and that members of the public in the district might not have enough anti-epidemic supplies. As a result, the Committee requested additional meetings in order to assist with the anti-epidemic efforts in the district and to procure and distribute anti-epidemic supplies. However, not only did the Secretariat fail to arrange a conference venue for the FGAC, it even forbade the Committee from using the Sha Tin District Council Conference Room (STDC Conference Room) by reason of epidemic prevention.

Ever since the Secretariat used epidemic prevention as an excuse, it has been citing all kinds of reasons to reject the FGAC for using the STDC Conference Room and the most ridiculous one was that other government departments needed to use it. The STDC could not use its own conference room, but other government departments were prioritised over the STDC in using it? This makes no sense at all.

Motion: The FGAC expresses regret over the STDC Secretariat’s failure in arranging a conference venue for the FGAC as per its instructions. The FGAC reiterates that the Secretariat is required to follow the instructions of the FGAC and give the FGAC priority in using the conference room. The FGAC understands that other government departments may need to borrow

the STDC Conference Room. The Committee asks the Secretariat to clearly explain the usage guidelines, schedule arrangements and the order of priority regarding the use of the conference room so as to allay its doubts.” (Unanimously passed); and

- (iv) the report of the working group.
- (3) The Committee noted the report on the financial account of the Sha Tin District Council.

Sha Tin District Council Secretariat
STDC 13/55/45

November 2020