

**Minutes of the 2nd Meeting of
the Sha Tin District Council in 2021**

Date : 20 May 2021 (Thursday)

Time : 2:30 pm

Venue : Sha Tin District Office Conference Room 441
4/F, Sha Tin Government Offices

Present

**Time of joining
the meeting**

**Time of leaving
the meeting**

Chairman :	Mr CHING Cheung-ying, MH	2:30 pm	5:31 pm
Vice-Chairman :	Mr WONG Hok-lai, George	2:30 pm	5:31 pm
Members :	Mr CHAN Billy Shiu-yeung	2:30 pm	5:31 pm
	Mr CHAN Nok-hang	2:53 pm	5:31 pm
	Mr CHAN Pui-ming	2:30 pm	5:31 pm
	Mr CHAN Wan-tung	2:30 pm	5:31 pm
	Mr CHENG Chung-hang	2:40 pm	5:31 pm
	Mr CHENG Tsuk-man	2:47 pm	5:14 pm
	Mr CHEUNG Hing-wa	2:30 pm	5:31 pm
	Mr CHIU Chu-pong	3:31 pm	5:31 pm
	Mr CHOW Hiu-laam, Felix	2:30 pm	5:31 pm
	Mr CHUNG Lai-him, Johnny	2:42 pm	5:31 pm
	Mr HUI Lap-san	2:42 pm	5:31 pm
	Mr HUI Yui-yu	2:48 pm	4:15 pm
	Mr LAI Tsz-yan	2:30 pm	5:31 pm
	Dr LAM Kong-kwan	2:38 pm	5:24 pm
	Mr LI Chi-wang, Raymond	2:30 pm	5:31 pm
	Mr LI Sai-hung	2:30 pm	5:31 pm
	Mr LI Wing-shing, Wilson	2:30 pm	5:31 pm
	Mr LIAO Pak-hong, Ricardo	2:47 pm	5:31 pm
	Mr LO Tak-ming	2:30 pm	5:31 pm
	Mr LO Yuet-chau	2:30 pm	5:31 pm
	Mr LUI Kai-wing	2:30 pm	5:31 pm
	Ms LUK Tsz-tung	2:30 pm	5:31 pm
	Mr MAK Tsz-kin	2:30 pm	5:31 pm
	Mr MAK Yun-pui, Chris	2:40 pm	5:13 pm
	Mr MOK Kam-kwai, BBS	2:38 pm	5:24 pm
	Mr NG Kam-hung	2:30 pm	5:31 pm
	Ms NG Ting-lam	2:46 pm	5:31 pm
	Mr SHEK William	2:47 pm	5:31 pm
	Mr SIN Cheuk-nam	2:30 pm	5:31 pm
	Mr TING Tsz-yuen	2:30 pm	5:31 pm
	Mr TSANG Kit	2:30 pm	5:31 pm
	Ms TSANG So-lai	2:30 pm	5:14 pm
	Mr WAI Hing-cheung	2:30 pm	5:31 pm
	Mr WONG Ho-fung	2:45 pm	5:31 pm
	Ms WONG Man-huen	2:30 pm	5:31 pm
	Mr YAU Man-chun	2:30 pm	5:31 pm

Present

		<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
	Mr YEUNG Sze-kin	2:52 pm	5:31 pm
	Mr YIP Wing	2:30 pm	3:42 pm
	Mr YUNG Ming-chau, Michael	2:30 pm	5:31 pm
Secretary :	Mr HO Kin-nam, David	Senior Executive Officer (District Council) (Acting) / Sha Tin District Office	

In Attendance**Title**

Ms OR Kar-lok, Carol	District Officer (Sha Tin)
Mr LAM Fong-tat, James	Assistant District Officer (Sha Tin)1
Ms WONG Yuen-shan, Candice	Assistant District Officer (Sha Tin)2
Mr LEUNG Tsz-kin, Percy	District Commander (Shatin) / Hong Kong Police Force
Ms LEUNG Yin-kiu, Kerry	Police Community Relations Officer (Acting) / Shatin Police District / Hong Kong Police Force
Mr CHAN Kai-lam, Allan	Chief Manager/Management (TNS) / Housing Department
Ms LEUNG Yee-lee, Maggie	District Social Welfare Officer (Sha Tin) / Social Welfare Department
Ms WONG Kam-lai	Chief School Development Officer (Shatin) / Education Bureau
Mr CHAU Chun-wing	Chief Leisure Manager (New Territories East) / Leisure and Cultural Services Department
Ms WONG Sau-kuen, Joe	District Leisure Manager (Sha Tin) / Leisure and Cultural Services Department
Mr YIP Kam-ming, Dick	Deputy District Leisure Manager (District Support) Sha Tin / Leisure and Cultural Services Department
Mr CHIU Yue-tat, Franklin	Regional Officer/New Territories East / Independent Commission Against Corruption
Ms Loraine HA	Senior Community Relations Officer / Independent Commission Against Corruption
Mr Alvin KWOK	Community Relations Officer / Independent Commission Against Corruption
Mr CHAN Ka-kui	District Environmental Hygiene Superintendent (Sha Tin) / Food and Environmental Hygiene Department
Mr YAN Ka-kit, Ric	Chief Health Inspector (Sha Tin)3 / Food and Environmental Hygiene Department
Mr NG Hon-lai, Patrick	Principal Transport Officer/New Territories 1 / Transport Department
Mr HAR Sung-fu, Haven	Senior Engineer/7 (North) / Civil Engineering and Development Department
Ms CHU Ha-fan, Jessica	District Planning Officer/Shatin, Tai Po and North / Planning Department
Mr WONG Kwok-wai, Wilson	District Lands Officer/Shatin / Lands Department
Mr YEUNG Wai-dor	Administrative Assistant/Lands (Acting) (District Lands Office, Sha Tin) / Lands Department
Ms WONG So-man, Katrina	Executive Officer I (District Council)3 / Sha Tin District Office

Absent

Mr SHAM Tsz-kit, Jimmy	(No application for leave of absence received)
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The Chairman noted that a quorum was present with over 21 Members present at the meeting, and declared open the second meeting of the Sha Tin District Council (STDC) of this year.

2. The Chairman advised the meeting that the press observing the meeting were photographing, filming and sound recording on the spot.

3. The Chairman welcomed Members and representatives from government departments to the meeting, including Ms Carol OR, the newly appointed District Officer (Sha Tin) (DO), Mr CHAN Ka-kui, the newly appointed District Environmental Hygiene Superintendent (Sha Tin) of the Food and Environmental Hygiene Department; Mr CHAU Chun-wing, the newly appointed Chief Leisure Manager (New Territories East) of the Leisure and Cultural Services Department (LCSD); Ms Kerry LEUNG, Police Community Relations Officer (Acting)/Shatin Police District of the Hong Kong Police Force (HKPF); Mr YEUNG Wai-dor, Administrative Assistant/Lands (Acting) (District Lands Office, Sha Tin) of the Lands Department; as well as Mr Franklin CHIU, Regional Officer/New Territories East, Ms Loraine HA, Senior Community Relations Officer, and Mr Alvin KWOK, Community Relations Officer of the Independent Commission Against Corruption (ICAC).

Application for Leave of Absence

4. The Chairman said that the Secretariat had not received any application for leave of absence in writing from Members before the meeting.

Confirmation of the Minutes of the Meeting Held on 11 March 2021

(STDC Minutes 1/2021)

5. The Chairman said that the Secretariat had not received any proposed amendment prior to the meeting.

6. Mr WAI Hing-cheung said that at the last meeting, he had merely asked the Police whether law enforcement operations had been carried out at Lung Hang Estate. Therefore, he proposed amending paragraph 56(e) of STDC Minutes 1/2021.

7. The Council confirmed the above minutes unanimously.

[Post-meeting note: The Secretariat amended STDC Minutes 1/2021 according to Mr WAI Hing-cheung's proposal and uploaded the paper concerned to the STDC website.]

Items Discussed

2021-2022 Work Plan of the ICAC Regional Office (NTE)

(Paper No. STDC 18/2021)

8. Mr Franklin CHIU, with the aid of PowerPoint presentation, briefly introduced the paper as highlighted below:

- (a) he said that he would like to take the opportunity of today's meeting to explore room for co-operation with Members and listen to their views. He also hoped that the STDC would be the supporting organisation of the activity;
- (b) when formulating the work plan, the ICAC Regional Office (New Territories East) (NTE Office) had determined the main ideas by taking different factors into account;

- (c) the NTE Office under the Community Relations Department (CRD) of the ICAC had a catchment area covering Sha Tin, Tai Po and the North District. Its main responsibilities included carrying out publicity and educational activities, as well as enlisting local stakeholders' support for the ICAC's work;
- (d) when formulating this year's work plan, the NTE Office had considered various factors, including whether the public's core value about anti-corruption had been affected by the epidemic. Therefore, the NTE Office had made reference to the findings of the ICAC Annual Survey 2020 (the Survey);
- (e) the findings of the Survey had revealed that the public had nearly zero tolerance towards corruption (with a mean score of 0.4). Moreover, 81.7% of the respondents had indicated that they were willing to report corruption. The proportion was the same as that of the previous two years, and the highest since the question had been introduced in 2010, reflecting that public awareness of anti-corruption was still very strong even amid the epidemic;
- (f) the CRD had commissioned an independent research institute in 2020 to conduct a focus group study to understand young people's attitude towards law-abidingness. The findings of the study had revealed that despite young people's general understanding of corruption, their tolerance towards corruption would depend on whether the incident involved their personal interests, and they often neglected the far-reaching impact of corruption on the society as a whole. When regulations were inconsistent with their personal values or their self-interest was involved, some of them would even resort to take advantage of legal loopholes in an attempt to elude justice. The NTE Office would draw up a specific education-based proposal by making reference to the above findings;
- (g) the ICAC had received 1 924 corruption complaints (excluding election-related ones) in 2020, representing a decrease of 16% when compared with 2019. Since quite many economic activities had been suspended due to the epidemic, the private sector registered the biggest drop in the number of complaints. However, the overall number of corruption complaints had already increased by 11% in the first quarter of this year. The CRD would continue to step up educational efforts on anti-corruption for sectors with a relatively large number of corruption complaints, e.g. the building management sector and the construction sector;
- (h) in response to changes in the electoral system, the CRD would step up educational efforts to promote clean elections;
- (i) in view of the epidemic, the CRD had organised more web-based educational activities on anti-corruption than before. Over 700 online training activities had been conducted through video conferencing in 2020. A shift in the communication model had prompted the CRD to expedite its work by actively disseminating information through new media and online platforms to tie in with in-person educational activities on anti-corruption;
- (j) the NTE Office intended to organise about 680 visits and anti-corruption seminars, as well as about 66 anti-corruption activities in 2021-2022. These activities were highlighted in the ensuing paragraphs.

- (k) first, to promote the core values about integrity and law-abidingness among the younger generation. He said that the Sha Tin District had the largest number of schools in the territory, including about 50 secondary schools, over 40 primary schools and about 80 kindergartens. Therefore, the NTE Office attached great importance to adolescent education of this district;
- (l) he stressed the importance of early childhood education. The CRD would launch a programme on integrity education for primary schools. Following last year's "Reading for Integrity" (a programme to promote integrity education through picture books), the CRD would continue to organise workshops for teachers and publish the picture books in English to satisfy the needs of non-Chinese speaking students;
- (m) regarding secondary schools, the NTE Office would continue to organise the "iTeen Leadership Programme" for Senior Secondary School Students for providing training to senior secondary school students and encouraging them to organise anti-corruption promotional activities on campus. In the 2021/22 school year, the NTE Office would encourage "iTeen Leaders" to design virtual tour routes for the "Anti-Corruption Walk", in order to disseminate the anti-corruption message among students. The NTE Office would also continue to organise the "ICAC Interactive Drama". In view of the epidemic, the NTE Office had prepared an online version of the interactive drama for use by schools when necessary;
- (n) regarding tertiary institutions, the NTE Office would continue to implement the "ICAC Ambassador Programme" in the New Territories East, under which tertiary students would be recruited as ICAC Ambassadors and encouraged to organise anti-corruption activities on campus. Some ICAC Ambassadors might even be invited to join the "ICAC Voluntary Summer Helper Scheme". Besides, the NTE Office would continue to encourage young people to join the "Youth Chapter" of the ICAC Club and assist in disseminating the anti-corruption message in the community. To attract more young people to be volunteers for integrity promotion programmes, the NTE Office would arrange training (including short film shooting and event planning, etc.) for participants;
- (o) as always, the NTE Office attached importance to district work. Last year, officers of the NTE Office had been unable to meet Members in person or invite Members to visit the NTE Office to explore room for co-operation due to the epidemic. He looked forward to strengthening co-operation with Members this year;
- (p) second, regarding the "All-for-Integrity Signature Event", a kick-off ceremony and an immersive exhibition for the "Anti-Corruption Walk" had been held in Tai Kwun. The NTE Office would organise the "Shine with Integrity" Youth Integrity Project for Sha Tin District, and would like to invite the STDC to be the supporting organisation;
- (q) third, regarding building management, the CRD would continue to provide anti-corruption services to owners' corporations (OCs) participating in government-funded schemes, such as the "Operation Building Bright 2.0" and the "Fire Safety Improvement Works Subsidy Scheme", through relevant organisations (e.g. the Urban Renewal Authority (URA)), as well as proactively

approach newly established OCs in this regard. This year, the CRD would launch an educational and publicity programme for the property management sector in collaboration with the Property Management Services Authority (PMSA), professional bodies and tertiary institutions offering building management courses, so as to disseminate the message of corruption-free property management among property management companies (PMCs) and practitioners;

- (r) fourth, regarding public elections, in response to changes in the electoral system, the CRD would expand the target audience of its publicity and educational activities, e.g. holding briefing sessions on relevant laws for district organisations, such as Area Committees and District Fight Crime Committees, District Fire Safety Committees or the newly established Election Committee Subsectors. The CRD would also write to other relevant organisations about the availability of publicity and educational services (e.g. seminars on relevant electoral laws and online resources), with a view to disseminating the message of clean elections;
- (s) fifth, for the public sector, the NTE Office would continue to provide anti-corruption training, including actively encouraging bureaux/departments to introduce the staff integrity training cycle. Besides, apart from anti-corruption seminars, the NTE Office would also provide online learning materials. This year, the CRD would launch the 2-year “Integrity Promotion Campaign for Public Sector” to promote integrity management in the public sector across the board;
- (t) sixth, regarding anti-corruption training for the business sector, the construction sector had accounted for a relatively high percentage of corruption complaints among those against the private sector received by the ICAC every year. The CRD intended to introduce a series of construction sector-specific integrity training resources to step up efforts in providing anti-corruption training for relevant organisations, professional bodies, works contractors and works consultants;
- (u) he continued to introduce a series of integrity promotion activities under the theme of “Shine with Integrity” Youth Integrity Project to be hosted by the NTE Office in the district in 2021/22. The target audience of such activities included students/parents of tertiary institutions, secondary and primary schools and kindergartens, as well as residents in the Sha Tin District;
- (v) the CRD would launch a series of integrity promotion activities for schools and the community in collaboration with district organisations;
- (w) regarding integrity promotion activities for schools, alongside the implementation of the “i Junior Programme for Primary Schools”, the “Anti-Corruption Walk” Online Tour would be designed for primary school students; the anti-corruption message would be disseminated among upper primary school students through augmented reality worksheets on moral education; Summer E-reading Programme would be promoted to encourage self-learning in students through reading moral education stories and articles, as well as engaging in post-reading activities during the summer vacation; the “iTeen Leadership Programme” for Senior Secondary School Students would be launched to recruit senior secondary students to become “iTeen Leaders” and equip them with the necessary skills to organise a variety of integrity promotion activities on campus through training, and to support participants to plan virtual tours for the “Anti-Corruption Walk” Online Tour and

promote the “ICAC Ambassador Programme” in tertiary institutions;

- (x) regarding district-based integrity promotion activities, the “Anti-Corruption Walk” would be launched in the New Territories East to show young people living in the Sha Tin District around “scenic spots” that embodied the anti-corruption message, e.g. the scene of Yuen Chau Kok short-piling case, Sha Tin Racecourse and Pok Ngar Villa, enabling them to understand the anti-corruption history;
- (y) he pointed out that if Members knew any district organisations interested in organising anti-corruption activities, the CRD could support their work by providing the necessary resources; and
- (z) the ICAC would bear the cost of the “Shine with Integrity” Youth Integrity Project for Sha Tin District, and would like to invite the STDC to be the supporting organisation.

9. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he enquired about specific details of section 30 headed “Offence to disclose identity, etc. of persons being investigated” of the Prevention of Bribery Ordinance (Cap. 201) (POBO);
- (b) he commended the ICAC for making sustained efforts in implementing integrity property management;
- (c) he pointed out that the PMSA would introduce the property management licencing regime in the future. As such, he wished to know the ICAC’s role therein; and
- (d) as far as the business sector was concerned, the ICAC concentrated its anti-corruption efforts on the construction sector. He pointed out that bid-rigging was not confined to building management and maintenance, the Competition Commission (CC) had actually dealt with the bid-rigging problem in the information technology sector. Therefore, he asked whether the ICAC had a working relationship with the CC.

10. The views of Mr Felix CHOW were summarised below:

- (a) he thanked the ICAC for briefing the STDC on its work plan;
- (b) he said that in the past, some members of the public had managed to uncover the problem of vote planting or suspicious voter registration through inspection of registers of electors. If the Government restricted public access to registers in the future, he wished to know whether it would be even more difficult for the ICAC to track down suspicious voter registration and how it could ensure that elections would take place based on the principles of fairness and integrity; and
- (c) regarding building management, he enquired about the number of bid-rigging cases involving maintenance projects of commercial/industrial buildings.

11. The views of Mr Wilson LI were summarised below:

- (a) he urged the ICAC to continue to uphold its core values as well as the integrity and rule of law of Hong Kong;
- (b) he pointed out that the ICAC's work plan was tailor-made for different targets, and hoped that the ICAC would sustain its efforts in revamping the corruption culture in the building management sector and the construction sector;
- (c) he opined that public search was conducive to enhancing electoral transparency. He wished to know whether the work of the ICAC would be affected and how it would enhance transparency if the Government restricted public access to registers; and
- (d) he pointed out that apart from specific anti-corruption activities, typical publicity and educational activities were equally important. He supported the ICAC to further disseminate the anti-corruption message to the public in collaboration with Members and district organisations, with a view to restoring public confidence in the ICAC's work and upholding integrity in Hong Kong.

12. The views of Mr LO Yuet-chau were summarised below:

- (a) he pointed out that at a STDC meeting last year, Mr WAI Hing-cheung had mentioned that a person had constantly paced back and forth and yelled outside the ICAC office at the Sha Tin Government Offices, and that the person concerned still appeared outside the above office occasionally at present; and
- (b) to avoid misleading the public that the ICAC had failed to address that person's grievance, he urged the ICAC to follow up on the matter, with a view to upholding its image.

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

- (a) he opined that the content of the ICAC's annual work plans were similar. Taking the corruption case concerning Mr Rafael HUI and the incident in which a candidate suspected of vote-buying in the Legislative Council Kowloon West geographical constituency by-election in 2018 as examples, he said that even though the ICAC stepped up publicity efforts to raise anti-corruption awareness every year, still, some unusual corruption cases emerged from time to time. He wished to know how the ICAC would deal with them;
- (b) he pointed out that some buildings aged over 30 years in the district needed comprehensive maintenance, regardless of whether they were private buildings or in public housing estates. Quite many institutions or organisations coveted these maintenance works, resulting in a quite large number of unauthorised maintenance projects eventually. He enquired of the ICAC about practical recommendations apart from relying on the OCs and the URA's "Smart Tender"; and
- (c) he commented that amid the epidemic, the ICAC could hardly pay visits to schools to promote anti-corruption awareness. As such, he enquired of the ICAC about possible solutions.

14. Mr Franklin CHIU gave a consolidated response as follows:

- (a) he said that under section 30 of the POBO, unless with reasonable excuse, no person should disclose to others the identity of the person who was the subject of the investigation (the subject person) to avoid interfering with the investigation. It was also set out in the POBO the circumstances under which relevant information could be disclosed, e.g. the ICAC officers had already carried out an arrest operation, searched the residence of the subject person or confiscated any travel document in his/her possession. Upon receipt of a report, the ICAC would remind the informant of the need to keep the information secret;
- (b) the ICAC also provided online information on the POBO and would step up educational efforts in this regard. When enforcing the POBO, the ICAC would seek advice from the Department of Justice (DoJ) on a case-by-case basis;
- (c) regarding the PMSA's property management licencing regime, the ICAC would include anti-corruption information in the examination syllabus and training programme. The ICAC would also work with tertiary institutions offering property management courses on the inclusion of anti-corruption information in their teaching materials and providing PMCs with anti-corruption teaching materials and educational services;
- (d) regarding bid-rigging, he said that bid-rigging cartels were difficult to detect as they were carried out in secret. If corruption was involved in a bid-rigging activity, the ICAC would launch an investigation when sufficient evidence was available. If this was not the case, the complaint would be referred to the CC for handling;
- (e) the ICAC adopted an equitable approach in dealing with bid-rigging cases, regardless of whether the building involved was in a private housing estate or a commercial/industrial building;
- (f) the ICAC adopted a three-pronged approach involving law enforcement, prevention as well as publicity and education to address the bid-rigging problem. On law enforcement, apart from referring cases to the DoJ for prosecution if sufficient evidence was available, the ICAC would also stage timely interventions to alert OCs to stay vigilant, so that they might consider retendering or reshuffling their management committees when necessary;
- (g) regarding prevention, the ICAC would like to recommend that OCs should include probity and anti-collusion clauses in tender documents;
- (h) regarding publicity and education, the ICAC would brief OCs and the persons concerned on anti-corruption laws and measures through district seminars, e.g. encouraging contractors to submit tenders through open tender, introducing a declaration of interest mechanism and enhancing transparency;
- (i) regarding elections, the ICAC would definitely carry out stringent law enforcement actions upon detection of corrupt conduct such as vote planting during public elections. Moreover, publicity and educational activities would be implemented at different stages, including production of Announcement of Public Interest, distribution of promotional leaflets during voter registration stage and

online publicity, etc.;

- (j) he pointed out that the Registration and Electoral Office (REO) had put in place a checking mechanism to verify electors' registered particulars. As public search was under the purview of the REO, Members might send their enquiries to the department concerned if necessary;
- (k) the Hong Kong Business Ethics Development Centre under the CRD would set up an online training platform to support the promotion of anti-corruption awareness among small and medium enterprises in different sectors;
- (l) regarding the person who paced back and forth and yelled at the entrance of the ICAC office, he pointed out that the NTE Office had already taken a number of actions, including reporting to the Police, requesting the management office to take follow-up actions and assigning officers to communicate with the person concerned in person, etc. He said that the NTE Office would continue to follow up on the situation;
- (m) all along, the younger generation was the key target of integrity training. Since the annual work plans would carry different themes, the NTE Office would come up with new ideas compatible with the annual theme, with a view to promoting integrity through a variety of activities;
- (n) all along, the ICAC had designed training courses and produced the television drama series "ICAC Investigators" based on true stories to enhance educational effectiveness;
- (o) regarding comprehensive maintenance for private buildings and public housing estates, the ICAC would adopt a three-pronged approach involving law enforcement, prevention and education to address potential issues. He also called on Members to help refer OCs in need to the NTE Office for following up; and
- (p) amid the epidemic, the ICAC carried out educational activities for schools through online platforms, e.g. switching some training courses to a video conferencing platform and producing an online version of the "ICAC Interactive Drama", etc. Besides, resources were also provided to teachers for the design of teaching materials and activities, with a view to minimising the epidemic's impact on publicity and educational activities.

15. Mr CHAN Pui-ming pointed out that some housing estates had yet to set up OCs or owners' committees. As such, he enquired of the ICAC whether relevant information would be provided to owners of such housing estates.

16. Mr Franklin CHIU said that letters would be issued to newly established OCs inviting them to attend the ICAC's anti-corruption seminars; nevertheless, the response rate was not high. He encouraged Members to help refer OCs in need to the ICAC.

17. The Council unanimously endorsed the designation of the STDC as the supporting organisation of the "Shine with Integrity" Youth Integrity Project for Sha Tin District, and consented to the display of the STDC logo during the publicity activities and on the publicity materials of the above event.

Establishment of a Tentative Ceiling for the Sha Tin District Council (STDC) Expenditure Heads and Estimates in the Financial Year 2021-2022
(Paper No. STDC 19/2021)

18. The Chairman said that it was proposed in the paper that the existing 11 expenditure heads should remain unchanged, and that as the total allocation for this year was the same as last year, the tentative ceilings for various expenditure heads were similar to those of last year.

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

- (a) he said that he had discussed the arrangement for allocation of funds with the Chairman and Mr David HO, Senior Executive Officer (District Council) (Acting), in late March. Since the total allocation had yet to be confirmed at that time, the STDC adopted a relatively conservative approach and lowered the tentative ceiling for the employment of contract staff. As a result, some contract staff could not get their contracts renewed. At that time, he had already expressed his wish to flexibly address the issue of renewal of employment contracts;
- (b) as far as he knew, quite a number of contract staff of the Sha Tin District Office (STDO) had resigned because they had been offered other Government contract jobs with better remuneration. He suggested that if the contract staff were doing a good job and the STDC had sufficient funds to cover expenses for the employment of contract staff, the Secretariat should revise this year's budget later on and re-employ those contract staff whose contracts had not been renewed previously; and
- (c) he asked the DO about the manpower planning for the Secretariat.

20. Mr David HO said that a basket of factors had to be taken into consideration in the employment of contract staff, including the actual operational needs of the Secretariat and individual job performances, etc. The STDC had earmarked reserves for various working groups and the Secretariat, so that when necessary, they could seek additional funding from the Finance and General Affairs Committee (FGAC) and the STDC to settle expenses for the employment of contract staff by virement of funds. He pointed out that the Secretariat had fully considered various factors when formulating the plan for the employment of contract staff in the hope of providing reliable secretarial services to the STDC.

21. Mr YAU Man-chun said that the Secretary of the FGAC had notified Members on 18 May via email of the amount of funding tentatively earmarked for various working groups for reference. He asked the Secretariat to assist such working groups in commencing various tasks as soon as possible.

22. The Chairman thanked Mr YAU Man-chun for informing fellow Members beforehand, enabling them to make proper preparation before the working group meetings.

23. The Council unanimously endorsed the proposals as set out in above paper.

Question

Question to be Raised by Mr YAU Man-chun on the Matters Concerning Leaflets on Illicit Cigarette Activities and Illegal Gambling in Sha Tin

(Paper No. STDC 20/2021 (Revised))

24. The views of Mr YAU Man-chun were summarised below:

- (a) he regretted that the Customs and Excise Department (C&ED) had failed to attend this meeting;
- (b) he said that illicit cigarette activities had become a common sight at Shui Chuen O Estate and Jat Min Chuen over the past 2 years, and that illicit cigarette leaflets were often found on the metal gates of domestic units. He pointed out illicit cigarette leaflets had been found at Jat Min Chuen the day before.
- (c) he commented that he had often received complaints from members of the public about the problem of illicit cigarette activities, and that some members of the public had also asked him to reflect the situation to the C&ED;
- (d) he pointed out that as a matter of fact, the estate office had sent staff to intercept the leafleter and assist tenants in removing the leaflets left on metal gates of their flats. However, it was not always the case;
- (e) he said that some members of the public had opined that the phenomenon of non-tenants gaining access to private premises of the estate revealed the existence of security loopholes. Yet, the estate office had responded that as tenants might be employed to distribute leaflets, it could hardly monitor the situation all the time;
- (f) he opined that there had been inadequate communication between the C&ED and estate offices;
- (g) he said that he would write to estate offices and the C&ED requesting them to take follow-up actions whenever relevant complaints were received. He had witnessed that the C&ED had carried out a patrol operation at the estate the next day upon receipt of a complaint. However, he was not sure about its intention;
- (h) he opined that estate offices should step up security efforts;
- (i) he was of the view that the C&ED needed to step up publicity and educational efforts at the district level; and
- (j) he asked the Chairman to invite the C&ED to attend the next STDC meeting.

25. The Chairman said that he had asked the Secretariat to invite the departments concerned to attend this meeting upon receipt of Mr YAU Man-chun's question. However, the C&ED and the Hong Kong Housing Society had stated that they would not be able to send representatives to this meeting. He said that the Secretariat would convey Mr YAU Man-chun's views to the departments concerned after the meeting.

26. Mr Percy LEUNG, District Commander (Shatin) of the HKPF gave a consolidated response as follows:

- (a) he said that the Police had been working with management offices (MOs) and PMCs under the “Project MegaSafeguard”, which aimed to increase security guards’ vigilance, introduce contingency measures and facilitate the exchange of information;
- (b) regarding increasing security guards’ vigilance, the Police would send plainclothes police officers to follow tenants for gaining entry into the housing estate, so as to test whether the security guards would vigilantly stop trespassers;
- (c) regarding the introduction of contingency measures, the Police provided the hotline number to security counters at the lobby of building blocks. If security guards were unable to drive suspicious persons away, they could immediately call the hotline to summon police officers to the scene;
- (d) regarding the facilitation of information exchange, the Police were studying the establishment of an information network, whereby the Police would contact the security chief at once upon detection of crime in a housing estate, who would then notify security guards accordingly;
- (e) he said that commendation letters or warning letters would be issued to security guards after evaluating their performances; and
- (f) he said that the Police would follow up on the issue of the vigilance level of the security guards of Shui Chuen O Estate and Jat Min Chuen.

27. Mr Allan CHAN, Chief Manager/Management (TNS) of the Housing Department (HD) gave a consolidated response as follows:

- (a) he pointed out that the HD had grave concern over the distribution of leaflets about illegal online gambling and illicit cigarettes in public housing estates;
- (b) he held that frontline officers had been instructed to ramp up security measures, such as intercepting suspicious persons, reporting to the Police and removing leaflets;
- (c) he commented that the cases concerned would be referred to the Police and the C&ED for following up;
- (d) when the Police carried out a trial test in public housing estates, the HD would instruct its staff to facilitate their operations;
- (e) after estate staff familiarised themselves with the operation of a new contingency measure, the HD would spread the message to other housing estates to keep their staff updated on the new contingency measure; and
- (f) the HD would remind the public to pay attention to the illegal activities concerned from time to time.

28. The Chairman reminded Members that each of them would be allotted no more than 2 minutes to speak in respect of this agenda item.

29. The views of Mr Billy CHAN were summarised below:

- (a) he regretted that the C&ED had failed to attend this meeting;
- (b) the Police had claimed that no complaint about the sale of illicit cigarettes at Sha Kok Estate had been received. However, he pointed out that his colleague had lodged a complaint about the problem with the Police last year, and urged the Police to review their reply;
- (c) after removing illicit cigarette leaflets from the metal gates of other flats on their own, some members of the public had passed such leaflets onto him for handling. In this connection, he enquired of the Police whether this would give rise to any problems;
- (d) he commented that suspicious persons had often left before police officers arrived at the scene. Even though police officers arrested the suspicious persons on the spot, the leaflets would reappear in the housing estate very soon. He opined that the Police's law enforcement actions lacked deterrent effect; and
- (e) he was of the view that the HD should review its existing approach in handling the above situation.

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

- (a) he deemed it unfair for the Chairman to limit the duration of speech delivered by each Member to no more than 2 minutes;
- (b) he pointed out that as the C&ED was the law enforcement agency against illicit cigarettes, he disapproved of the C&ED's failure to attend this meeting;
- (c) he commented that the C&ED had failed to provide relevant figures in its written reply;
- (d) he held that the department concerned with which Mr Billy CHAN's assistant had lodged a complaint had claimed that there was no such record;
- (e) the HD had claimed that leafleters, once spotted, would be advised and driven away. He pointed out that in practice, estate managers would not take any actions even if tenants were found smoking. It was incomprehensible to him how it would be possible for the HD to instruct security guards without the authority to issue penalty tickets to drive away possible triad members; and
- (f) he asked how members of the public should report to law enforcement agencies upon detection of similar incidents to bring malefactors to justice if they wished to co-operate with law enforcement agencies.

31. The Chairman said that according to the Sha Tin District Council Standing Orders (the Standing Orders), except that the original questioner was entitled to have priority to put forward supplementary questions, only 2 other Members were allowed to raise follow-up questions. However, he had relaxed such a rule for this agenda item to allow up to 5 Members to raise follow-up questions. He asked for Members' understanding.

32. The views of Mr Ricardo LIAO were summarised below:

- (a) he expressed regret about the C&ED's failure to attend this meeting;
- (b) he enquired of the Police whether distributing leaflets about illicit cigarettes and illegal online gambling was against the law;
- (c) he opined that the Police's "Project MegaSafeguard" was far from effective;
- (d) he pointed out that a member of the public had reflected to him that debt collection notices had been posted outside his flat, and he had promptly notified the MO and the Police for following up. However, red paint had already been splashed on the door of his flat in the middle of that night;
- (e) he held that the Police had failed to maintain a high level of vigilance when handling criminal cases;
- (f) he pointed out that the Police's blitz operations to test security guards' level of vigilance lacked deterrent effect; and
- (g) he said that he had constantly received complaints against security guards falling asleep while on duty. He had also reflected the issue to the Police. He urged the Police to step up efforts in liaising with PMCs and MOs, with a view to squarely addressing the issue of security guard quality.

33. The views of Ms LUK Tsz-tung were summarised below:

- (a) she expressed regret about the C&ED's failure to attend this meeting;
- (b) she had requested the C&ED to deal with leaflets about illegal gambling and illicit cigarettes via email last August. Eventually, the C&ED had merely contacted her by phone saying that it would be difficult to deal with the problem. At the same time, she had also written to the then Police Community Relations Officer of Shek Mun Estate, but there was no written reply from the Police either;
- (c) she disagreed with the Police's claim that no complaint concerning Shek Mun Estate had been received;
- (d) she pointed out that normally, contact numbers and company names were printed on the leaflets, conceivably the C&ED and the Police could carry out law enforcement actions based on such information;
- (e) she opined that the "Project MegaSafeguard" was far from effective. She enquired of the Police about relevant figures; and

- (f) she pointed out that young people might be recruited as leafleters during the summer vacation. As such, she enquired of the Police about possible follow-up actions or publicity activities.

34. Mr TSANG Kit enquired of the Police whether The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region would be invoked to combat illicit cigarette activities and illegal online gambling.

35. Mr Percy LEUNG gave a consolidated response as follows:

- (a) he said that he would reply to Mr Billy CHAN after the meeting;
- (b) he pointed out that a worthless leaflet was nothing more than a piece of waste paper. Any leaflet containing crime information could be passed onto the Police for following up;
- (c) he commented that if it was not possible for security guards to intercept a suspicious person, they had to report to the Police expeditiously and provide description of his/ her appearance, so that police officers could look for the suspicious person in the vicinity;
- (d) he said that information about the Police's hotline had been circulated to security counters at the lobby of building blocks;
- (e) he pointed out that any person who in a public place, to the annoyance of or in a manner likely to annoy any other person, importuned such person to buy any article or thing or to give his custom to any business, by such first-mentioned person, might be guilty of touting. If it was substantiated that online gambling was an illegal act upon the Police's investigation, leafleters might be involved in aiding and abetting, and could bear criminal liability;
- (f) he added that the leafleters might bear criminal liability if the leaflets promoted illegal acts;
- (g) in response to the incident in which a flat had been splashed with red paint, he said that police officers had rushed to the scene upon receipt of the security guard's report;
- (h) he agreed that security guard quality and police-public co-operation were of utmost importance;
- (i) he said that the question raised by Ms LUK Tsz-tung would be followed up after the meeting;
- (j) he held that the Police did not keep the relevant statistics; and
- (k) he had nothing further to add regarding Mr TSANG Kit's question.

36. Mr Allan CHAN pointed out that leafleting was not permitted in public housing estates, and that the HD would drive away leafleters once spotted. If illegal acts were involved, the HD would refer the cases to the Police or the C&ED for handling.

37. The Chairman reiterated that in accordance with the Standing Orders, only 2 Members were allowed to put forward follow-up questions after the original questioner had spoken. He requested other Members who spoke thereafter to limit duration of their speeches to no more than 1 minute.

38. The views of Mr WONG Ho-fung were summarised below:

- (a) he pointed out that the number of complaints about online gambling at Mei Tin Estate was almost the same as that of Shui Chuen O Estate;
- (b) he said that regarding the leafleting issue, what concerned the public most was that the HD and the Police had not been able to effectively prevent unknown persons from entering private premises; and
- (c) he urged the HD and the Police to pay attention to the above problem.

39. Mr YAU Man-chun pointed out that he had often received promotional materials similar to the leaflet mentioned by him at this meeting. His views were summarised below:

- (a) whenever he and Mr LO Tak-ming received relevant complaints, they would notify the estate managers at once. As a matter of fact, police officers had once arrived at the scene before the leafleter left. However, the police officers had let the person go after recording his personal particulars on the ground that distributing illicit cigarette leaflets was not an illegal act;
- (b) he stressed that the operation of distribution of illicit cigarette leaflets as a conglomerate was supposed to be illegal, and it was imperative for law enforcement agencies to address the issue; and
- (c) he asked the Chairman to deal with his question again at the next meeting. He reiterated his dissatisfaction with the C&ED's failure to attend this meeting, and urged the DO to invite the C&ED to attend the next meeting.

40. The Chairman said that the Secretariat would relay Mr YAU Man-chun's question to the C&ED and requested it to take appropriate follow-up actions.

41. The views of Mr Ricardo LIAO were summarised below:

- (a) he pointed out that Mr Percy LEUNG had yet to respond whether it was illegal to distribute those leaflets outside the metal gates of flats; and
- (b) he urged the Police to step up efforts by conducting blitz operations in the district, so as to keep security guards alert while on duty.

42. The views of Mr YEUNG Sze-kin were summarised below:

- (a) he asked whether the sale of duty-not-paid products was an illegal act; and
- (b) he regretted that the C&ED had failed to attend this meeting.

43. The views of Mr CHAN Pui-ming were summarised below:
- (a) he suggested that if the discussion of this agenda item had overrun, the matter concerned could be further discussed at the meeting of the District Facilities Management and Security Affairs Committee;
 - (b) he pointed out that in case residents had to undergo compulsory quarantine at a quarantine centre, no one would remove the leaflets left on the metal gates of their flats. If buglers assessed that there was no one living in the flats concerned for many days when casing a house, such flats might become targets of housebreaking;
 - (c) he commented that as the Department of Health would not disclose information on flats in which residents had to undergo compulsory quarantine to the HD/PMCs, PMCs might not be able to assist in removing leaflets or step up patrols for those flats in a timely manner; and
 - (d) he urged the Police to propose improvement measures.
44. The views of Ms LUK Tsz-tung were summarised below:
- (a) she urged the Police to provide figures about the “Project MegaSafeguard” after the meeting;
 - (b) she wished to know what publicity and educational activities would be carried out by the Police to instruct young people to stay vigilant against summer jobs that offered “quick money”; and
 - (c) she enquired of the Police how to deal with complaints about leaflets on illicit cigarettes or illegal online gambling upon their receipt.
45. The views of Mr Billy CHAN were summarised below:
- (a) he enquired of the Police whether the leaflet displayed by Mr YAU Man-chun just now was of value;
 - (b) he asked whether it was illegal for enthusiastic people to help remove leaflets left on the metal gates of other flats; and
 - (c) he said that crime information could be provided to the Police later on.
46. Mr TSANG Kit said that the Police had yet to respond to his question.
47. The views of Mr Michael YUNG were summarised below:
- (a) as far as he knew, distribution of illicit cigarette leaflets in public housing estates was a common phenomenon because after tenants placed orders, the seller would gain authorised access to the domestic units concerned for delivering illicit cigarettes, and then take advantage of the loophole to distribute leaflets to flats on lower/upper floors. Therefore, the party concerned could hardly arrest those leafleters using such a tactic;

- (b) he suggested that the HD should let the C&ED use vacant flats for operational deployment; and
- (c) he pointed out that it was inappropriate to deal with some issues by circulation of papers.

48. Mr Percy LEUNG gave a consolidated response as follows:

- (a) he pointed out that the Police would test security guards' level of vigilance;
- (b) he said that investigation was needed to substantiate whether the leaflets involved illegal acts;
- (c) he commented that the legality of the act of removing leaflets left on metal gates of other flats could only be assessed on a case-by-case basis;
- (d) he said that if an object placed on the metal gate of a flat was of no apparent value, and the household did not wish to take possession of it either, the object concerned was just a piece of rubbish;
- (e) he commented that he was not in a position to disclose the Police's investigation methods;
- (f) he said that handling illicit cigarettes was not the main responsibility of the Police;
- (g) he pointed out that the Police did not keep relevant statistics; and
- (h) he thanked Members for their suggestions and criminal intelligence.

[Post-meeting note: The Police contacted the Members concerned to follow up on their concerns raised at the meeting.]

49. Mr Allan CHAN gave a consolidated response as follows:

- (a) he said that the HD would continue to advise frontline officers;
- (b) he pointed out that security guards would remove illicit cigarette leaflets left on metal gates of flats; and
- (c) the HD could make vacant flats available for the use of the C&ED if necessary.

50. The Chairman asked the Secretariat to convey Members' concerns about illicit cigarettes to the C&ED and request it to take concrete follow-up actions.

[Post-meeting note: The Secretariat contacted and asked the C&ED to follow up on Members' concerns raised at the meeting.]

Information Items

Reports of Committees under the STDC

Traffic and Transport Committee

(Paper No. STDC 21/2021)

(Paper No. STDC 22/2021)

51. Mr CHAN Pui-ming wished to know the follow-up work on the bus route programme.
52. The views of Mr Michael YUNG were summarised below:
- (a) he said that he had requested the Secretariat to convene a special meeting of the Traffic and Transport Committee (TTC) a month ago. However, the Secretariat had yet to confirm the time of meeting. He said that it was difficult to follow up on controversial bus routes before holding the special meeting;
 - (b) he said that prior to the meeting, he had received 2 papers issued by the Transport Department (TD), which contained information about follow-up work regarding improvement works for Ma On Shan Town Centre Public Transport Interchange. He pointed out that he had conducted a site visit with some Members of local constituencies in Ma On Shan and the TD. The TD intended to report the follow-up work to the STDC by way of meeting papers, whereas he wished to hold discussion at a special meeting;
 - (c) he said that he had earlier discussed with Mr Patrick NG, Principal Transport Officer/New Territories 1 of the TD, on matters relating to the extension of bus Route No. 89S to Shui Chuen O Estate. As Members of local constituencies had divergent views on bus route alignment, he did not wish to deal with the issue by circulation of papers; and
 - (d) he said that he had repeatedly contacted Mr David HO and Mr James LAM, Assistant District Officer (Sha Tin)¹, on matters relating to the holding of a special meeting. He urged the DO and the subject officer to follow up on the matter accordingly.
53. The Chairman said that holding a special meeting required co-ordination with other departments and was subject to availability of meeting venue. Moreover, the manpower deployment for a committee meeting was more complicated than that of a working group meeting. He asked the Secretariat to follow up on the matter.
54. Mr David HO gave a consolidated response as follows:
- (a) he said that as the meeting schedule for the STDC's regular meetings and "standby" meetings had been confirmed earlier on, the conference room had been reserved for use by the parties concerned in designated timeslots;
 - (b) the conference room was available for use by other departments and organisations in addition to the STDC. Should there be a need to use the conference room on a date other than the dates blocked on the calendar for the STDC's meetings, the Secretariat and the STDO would, wherever possible, fix the meeting date at

Members' request;

- (c) the Secretariat had successively arranged working groups to hold meetings having regard to the actual circumstances; and
- (d) owing to the high frequency of the STDC's meetings, chairs of committees might consider dealing with issues at their regular meetings, and consideration would only be given to dealing with special issues at a special meeting under exceptional circumstances.

55. Mr James LAM said that all along, the Secretariat and the STDO had been fixing meeting dates as far as possible having regard to actual needs, the nature of different issues and the usage of the conference room. The Secretariat had also reserved unoccupied timeslots of the conference room for working group meetings.

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

- (a) he pointed out that he had requested the Secretariat to convene a special meeting a month ago. If this was regarded as a request at short notice, he wished to know the required length of the notice period; and
- (b) he said that the Secretariat could have suggested other unoccupied timeslots of the conference room if his preferred timeslot had been reserved for other uses.

57. The Chairman asked the Secretariat to note Mr Michael YUNG's views.

District Facilities Management and Security Affairs Committee
(Paper No. STDC 23/2021)

Development and Housing Committee
(Paper No. STDC 24/2021)
(Paper No. STDC 25/2021)

58. Mr CHAN Pui-ming said that he had requested the Secretariat to obtain a list of about 8 800 buildings with historic value from the Antiquities and Monuments Office (AMO). He wished to know the progress of follow-up work undertaken by the Secretariat.

59. Mr CHAN Nok-hang said that he had yet to receive information on the progress of follow-up work on the above matter from the Secretariat.

60. Mr David HO said the Secretary of the Development and Housing Committee would maintain liaison with Mr CHAN Nok-hang.

61. Mr Michael YUNG said that if the AMO provided papers in English only, he would only read the English version of the STDC's papers in the future.

Culture, Sports and Community Development Committee

(Paper No. STDC 26/2021)

(Paper No. STDC 27/2021)

62. The views of Mr WAI Hing-cheung were summarised below:

- (a) he had mentioned at the last meeting that people often skateboarded at Sha Tin Park in the small hours. At that time, the representative of the LCSD had indicated that contact would be made with the Police. He wished to know whether the Police had received any requests for assistance from the LCSD;
- (b) he wished to know whether the requests received by the Police had been put forward by the LCSD or security guards on duty at the park; and
- (c) he wished to know whether the Police had dealt with noise nuisance arising from skateboarding at Sha Tin Park upon receipt of relevant complaints; if not, the reasons for that; if so, he asked the Police to assess the effectiveness of their actions.

63. Ms Joe WONG, District Leisure Manager (Sha Tin) of the LCSD said that regarding the skateboarding incidents at Sha Tin Park at night-time, LCSD had strengthened venue management over the past 2 months. When encountering offenders who refused to take the advice, venue staff/security guards would promptly seek assistance from the Police to maintain order in the venue. The LCSD thanked the Police for providing the necessary support during the incidents. It would continue to maintain liaison with the Police and monitor the situation, with a view to reducing the nuisance progressively.

[Post-meeting note: The LCSD and the Police conducted a night-time joint operation at Sha Tin Park on 28 May 2021, during which no skateboarder was found.]

64. Mr Percy LEUNG gave a consolidated response as follows:

- (a) he said that a joint operation had been conducted with the LCSD on 4 March this year, during which 3 penalty tickets had been issued to skateboarders at the scene by the LCSD officers;
- (b) he said that the Police had received 4 complaints about skateboarding at Sha Tin Park this year as at 17 May, including 2 noise nuisance complaints, 1 case in which the persons involved had failed to wear masks and 1 nuisance complaint;
- (c) he pointed out that the persons involved in the 2 noise nuisance complaints had left before police officers arrived at the scene;
- (d) as for the case in which the persons involved had failed to wear masks, he said that upon arrival at the scene, police officers had found 4 young people not wearing masks, who had immediately worn their masks and left the scene upon issuance of verbal warning;
- (e) regarding the nuisance complaint, upon arrival at the scene, police officers had found 4 young people gathered in the venue, who had left immediately upon issuance of verbal warning; and

- (f) the Police would step up patrol efforts.

65. Mr WAI Hing-cheung asked whether the Police had conducted any other operations apart from the joint operation on 4 March. He also wished to know whether the LCSD had requested the Police to take further actions, or whether the Police had not taken any actions despite that the LCSD had contacted them.

66. Mr Percy LEUNG said that according to the information at hand, the Police had only conducted a joint operation. He said that the Police would take follow-up actions at the LCSD's request.

67. Mr WAI Hing-cheung urged the LCSD to step up venue patrols and seek assistance from the Police when necessary.

68. The Chairman urged the LCSD to review its handling of the matter concerned.

Health and Environment Committee

(Paper No. STDC 28/2021)

(Paper No. STDC 29/2021)

(Paper No. STDC 30/2021)

69. The views of Mr SHEK William were summarised below:

- (a) he said that the redevelopment of Prince of Wales Hospital (PWH) involved improvement measures for the government land in the periphery. He deemed it necessary for government departments to give an account of the project;
- (b) as far as he knew, there would be a footbridge connecting the new building of PWH. He urged government departments to give an account of the works progress; and
- (c) he urged the Secretariat to invite the departments concerned to attend the next meeting.

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

- (a) he said that the people and vehicular flows would be affected upon completion of the redevelopment of PWH phase 2 (stage 1). He deemed it necessary to grasp this opportunity to conduct planning and tackle existing district problems; and
- (b) he urged the Secretariat to invite the Hospital Authority and the Food and Health Bureau to attend the next meeting to discuss the matter concerned.

71. The Chairman asked the Secretariat to note the views expressed by Mr SHEK William and Mr Michael YUNG.

[Post-meeting note: The Secretariat conveyed Members' concerns and views to the departments concerned after the meeting.]

Education and Welfare Committee
(Paper No. STDC 31/2021)

72. The views of Mr Chris MAK were summarised below:

- (a) regarding the reprovisioning of Po Leung Kuk Siu Hon Sum Primary School, he learnt that the Education Bureau (EDB) did not intend to attend future meetings, but instead, would meet and discuss with the Members concerned privately. He asked the Secretariat about the discussion mode;
- (b) he reiterated that the paper circulated to Members did not contained any items that required a resolution, and he had not received any objections from Members either; and
- (c) he pointed out that earlier on, Mr Michael YUNG and he had asked the Secretariat to contact the school concerned, the EDB and other departments to convene a joint meeting of the Education and Welfare Committee (EWC) and the TTC to discuss issues concerning Shek Mun Interchange. However, they had yet to receive a reply on the meeting date from the Secretariat so far.

73. The views of Mr CHAN Pui-ming were summarised below:

- (a) he pointed out that the issue would be discussed at the meeting of the Panel on Education of the Legislative Council (LegCo) on 4 June. As the issue might arouse public concern, if the EDB did not intend to make further discussion at the STDC meeting, he wished to know whether the EDB would request the LegCo to defer discussion on the proposal until a full consultation was conducted with the public; and
- (b) he asked whether the school concerned would attend the STDC meeting to discuss the matter concerned and the traffic impacts brought about by the proposed reprovisioning works.

74. The views of Mr LUI Kai-wing were summarised below:

- (a) he welcomed the reprovisioning proposal;
- (b) he was concerned about whether transport support facilities and pedestrian crossing facilities could tie in with the reprovisioning proposal;
- (c) if the traffic conditions in the district were left unimproved, he was worried that upon completion of the new school premises, safety risks would be posed to teachers and students during the school start and finishing times, and serious traffic congestion would happen at Fo Tan Industrial Area during the morning and evening peak hours;
- (d) given that at the last meeting, he had requested to convene a special meeting to discuss the associated transport support facilities, he wished to know the progress of the follow-up work;

- (e) he pointed out that the conversion works for Sha Tin Public School had been discussed and resolved at the STDC meeting in the past. He did not understand why the matter concerned had to be handled by circulation of papers this time; and
- (f) he expressed his intention to propose a provisional motion later on.

75. The views of Mr MAK Tsz-kin were summarised below:

- (a) he wished to know how the Secretariat would respond to Members' comments upon receipt of their reply slips attached to the circulation paper;
- (b) he wished to know the discussion mode to be adopted by EDB if it decided not to attend the meeting;
- (c) he looked forward to receiving a positive feedback from the EDB and convening a special meeting; and
- (d) he said that the resumption of classes for Direct Subsidy Scheme schools and private schools had created traffic impacts in different districts. Despite that he had written to the EDB and the English Schools Foundation (ESF), it had not been possible to reach a consensus on holding a meeting to discuss the matter concerned. He hoped that the EDB would invite the ESF to attend the STDC meeting or the joint meeting of the EWC and the TTC.

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

- (a) he did not object to convening a joint meeting;
- (b) he reiterated the need to convene a TTC special meeting as soon as possible;
- (c) he pointed out that he had received a "No Caller ID" call at 12:13 pm on the day of the meeting, and the caller identified himself as Jeff SZE, Political Assistant to Secretary for Education;
- (d) he told Mr Jeff SZE that Members did not mean to oppose the reprovisioning proposal, but the problem lay in the fact that the school premises were situated in the industrial area. In the past, the construction of Yuk Wo Court had given rise to traffic issues in the vicinity of Au Pui Wan Street and Min Fong Street. Members were worried that the access of residents in Yuk Wo Court and the operation of Fo Tan Industrial Area would be affected upon reprovisioning of the primary school;
- (e) in view of the foregoing, he urged the EDB to come to the STDC and listen to Members' views before the proposal was discussed at the LegCo;
- (f) he recounted that Mr SZE had opined that as Mr Chris MAK, Chairman of the EWC, had agreed to deal with the matter concerned by circulation of papers, the EDB did not intend to attend any meetings again. Despite that Mr Jeff SZE had indicated that he had replied to the Secretariat, he had yet to receive the reply concerned;

- (g) he pointed out that as the meeting venue originally reserved for the EWC meeting on 11 March this year had been used for holding the STDC meeting, it had not been possible for the EWC to hold a meeting on that day;
- (h) he pointed out that circulation of papers did not allow for two-way simultaneous communication and was unable to demonstrate the role of a district council as an advisory body of the Government; and
- (i) he asked the Chairman to request the EDB to consult the STDC again on the issue concerned as soon as possible.

77. The views of Mr Chris MAK were summarised below:

- (a) he pointed out that he had no knowledge about Mr LUI Kai-wing's views until the day of the EWC meeting;
- (b) he said that he had read out Mr LUI Kai-wing's views at the EWC meeting. However, there was no reply from the EDB so far;
- (c) he said that at that time, he had promptly asked the Secretariat to invite the EDB to attend the meeting again;
- (d) he pointed out that the EDB had indicated to the Secretariat that it would contact the Members concerned in due course. He enquired of the Secretariat about the situation;
- (e) he said that it was the responsibility of Members to read meeting papers. Members who deemed it inappropriate to deal with the issue concerned by circulation of papers should promptly express their views, so that he could instruct the Secretariat to deal with it;
- (f) he would keep an open mind to convening a joint meeting; and
- (g) he urged the Secretariat to follow up on matters relating to the holding of a meeting expeditiously.

78. Mr David HO said that the Secretariat had already conveyed the request concerned to the EDB after the last EWC meeting, and learnt that the EDB was following up on the matter concerned.

79. The Chairman said that apart from venue availability, the departments' positions on attendance at meetings had to be taken into consideration when deciding whether to convene a special meeting.

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

- (a) he reiterated that advising the Government was one of the functions of the district council;
- (b) he disagreed to deal with the issue concerned by circulation of papers;

- (c) he pointed out that now that Members had requested to discuss the issue afresh, he did not understand why it would not be possible to convene a special meeting for discussion;
- (d) he pointed out that the Chairman had the responsibility of inviting the EDB to consult the STDC again; and
- (e) he asked the DO whether he would convey Members' aspirations to the EDB.

81. The Chairman pointed out that the chairs of various committees had confirmed the date of the STDC meeting on 11 March through negotiation. Therefore, the problem of the meeting schedule being forcibly pre-empted by a certain meeting did not exist.

82. Mr David HO said that the Secretariat would truthfully convey Members' requests to the EDB and ask it to take follow-up action.

83. The Chairman asked the Secretariat to continue to follow up with Mr Chris MAK on the matter concerned after the meeting.

84. The Chairman agreed to deal with the provisional motion proposed by Mr LUI Kai-wing, and asked whether Members agreed to do so.

85. The Council agreed to deal with the provisional motion proposed by Mr LUI Kai-wing.

86. Mr LUI Kai-wing proposed the following provisional motion:

“Background:

The Education Bureau (EDB) plans to construct a 24-classroom primary school at the school site reserved at Au Pui Wan Street, Fo Tan for reprovisioning of PLK Siu Hon Sum Primary School (SHSPS). The EDB sent the circulation paper (Paper No. EW5/2021) by email through the Education and Welfare Committee (EWC) of the Sha Tin District Council (STDC) on 3 March and asked members to note the relevant paper. After giving comments upon receipt of the circulation paper, I also proposed a provisional motion at the EWC of the STDC on 6 May requesting the EDB and the Sha Tin District Office to convene a special meeting to discuss the matter concerned. However, there is no reply so far.

Reprovisioning of SHSPS is controversial in many aspects, including transport, environment, school premises and allocation of school places. Many residents are concerned about the impacts of the reprovisioning of the school on Fo Tan area. It is learnt that the Panel on Education of the Legislative Council (LegCo) will also discuss reprovisioning of SHSPS on 4 June.

Thus, the Committee moves that:

1. the EDB and relevant departments be requested to convene a special meeting of the Education and Welfare Committee to discuss the reprovisioning of PLK Siu Hon Sum Primary School prior to discussion of the subject at the Panel on Education of the Legislative Council

2. the EDB be requested to provide the Sha Tin District Council with papers on the reprovisioning of PLK Siu Hon Sum Primary School, including environmental impact assessment report and traffic impact assessment report”

Mr MAK Tsz-kin and Mr Felix CHOW seconded the motion.

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

- (a) upon passage of the provisional motion, he hoped that the Secretariat would send a copy of the motion to the secretaries and chairs of the Panel on Education, the Public Works Subcommittee and the Finance Committee of the LegCo, enabling the committees concerned to know that the STDC had yet to discuss the issue in depth. Any future problems arising from the implementation of the proposal would have nothing to do with Members in support of the provisional motion; and
- (b) he requested to conduct an open ballot, which was supported by 4 Members present.

88. The Chairman declared that the above provisional motion was passed with 27 votes for it and 2 abstentions. He asked the Secretariat to relay the above provisional motion to the Government.

Members who voted in favour of the motion (27):

Mr TING Tsz-yuen, Mr SHEK William, Mr NG Kam-hung, Mr LI Sai-hung, Mr Wilson LI, Mr Raymond LI, Mr Felix CHOW, Mr MAK Tsz-kin, Mr SIN Cheuk-nam, Mr Johnny CHUNG, Mr YEUNG Sze-kin, Mr HUI Lap-san, Ms WONG Man-huen, Mr George WONG, Mr WONG Ho-fung, Mr CHEUNG Hing-wa, Mr Ricardo LIAO, Mr LO Yuet-chau, Mr Billy CHAN, Mr CHAN Wan-tung, Mr CHAN Pui-ming, Mr LUI Kai-wing, Mr LAI Tsz-yan, Mr Michael YUNG, Mr CHENG Chung-hang, Ms LUK Tsz-tung, Mr WAI Hing-cheung.

Members who abstained from voting (2):

Mr CHING Cheung-ying, Mr CHAN Nok-hang.

Finance and General Affairs Committee
(Paper No. STDC 32/2021)

89. The Council noted the 12 reports from the above committees.

Financial Year 2020-2021 STDC Account Statement
(Paper No. STDC 33/2021)

90. The Council noted the above paper.

Financial Account of the STDC (as at 31 March 2021)
(Paper No. STDC 34/2021)

91. The Council noted the above paper.

Date and Time of the Next Meeting

92. The next meeting was scheduled to be held at 2:30 pm on 22 July 2021 (Thursday).

93. The meeting was adjourned at 5:31 pm.

Sha Tin District Council Secretariat
STDC 13/15/15/1

July 2021