

Minutes of the 3rd Meeting of
the Finance, Administration and Publicity Committee (2018-2019) of
the Tuen Mun District Council

Date: 20 April 2018 (Friday)

Time: 9:30 a.m.

Venue: Tuen Mun District Council (“TMDC”) Conference Room

<u>Present</u>		<u>Time of Arrival</u>	<u>Time of Departure</u>
Mr AU Chi-yuen (Chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr LEUNG Kin-man, BBS, MH, JP	TMDC Chairman	9:30 a.m.	End of meeting
Mr LEE Hung-sham, Lothar, BBS, MH	TMDC Vice-Chairman	9:32 a.m.	End of meeting
Mr SO Shiu-shing	TMDC Member	9:35 a.m.	End of meeting
Mr TO Shek-yuen, MH	TMDC Member	9:30 a.m.	End of meeting
Ms KONG Fung-yi	TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Yau-hoi, BBS, MH, JP	TMDC Member	9:30 a.m.	End of meeting
Ms HO Hang-mui	TMDC Member	9:32 a.m.	End of meeting
Ms CHING Chi-hung	TMDC Member	9:30 a.m.	End of meeting
Ms LUNG Shui-hing, MH	TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Man-wah, MH	TMDC Member	9:30 a.m.	End of meeting
Ms CHU Shun-nga, Beatrice	TMDC Member	9:30 a.m.	End of meeting
Mr TSANG Hin-hong	TMDC Member	9:30 a.m.	End of meeting
Ms SO Ka-man	TMDC Member	9:30 a.m.	End of meeting
Mr MO Shing-fung	TMDC Member	9:30 a.m.	End of meeting
Mr YIP Man-pan	TMDC Member	9:32 a.m.	End of meeting
Mr YEUNG Chi-hang	TMDC Member	9:30 a.m.	End of meeting
Mr YAN Siu-nam	TMDC Member	9:30 a.m.	End of meeting
Mr TAM Chun-yin	TMDC Member	9:30 a.m.	End of meeting
Mr TSANG Tak-lung, Sam (Secretary)	Executive Officer I (District Council) ² (Acting), Tuen Mun District Office, Home Affairs Department		

In Attendance

Mr CHEUNG Hang-fai

Ms FUNG Ngar-wai, Aubrey

Mr CHAU Ka-nin, Eric

Mr LAU Chun Fai, Lawrence

TMDC Member

District Officer (Tuen Mun), Home Affairs Department

Senior Liaison Officer (2),

Tuen Mun District Office, Home Affairs Department

Senior Executive Officer (District Council),

Tuen Mun District Office, Home Affairs Department

Absent with Apologies

The Hon HO Kwan-yiu, JP

(Vice-chairman)

Ms WONG Lai-sheung, Catherine

The Hon LAU Ip-keung, Kenneth,

BBS, MH, JP

Mr KAM Man-fung

TMDC Member

TMDC Member

TMDC Member

TMDC Member

I. Opening Remarks

The Chairman welcomed all present to the 3rd meeting of the Finance, Administration and Publicity Committee (“FAPC”) (2018-2019).

2. The Chairman said Members should note that Members who were aware of their personal interests in any matters discussed at the meeting should declare the interests before the discussion. The Chairman would, in accordance with Order 39(12) of the Tuen Mun District Council Standing Orders (“Standing Orders”), decide whether the Members who had declared interests might speak or vote on the matters, might remain at the meeting as observers, or should withdraw from the meeting. All cases of declaration of interests would be recorded in the minutes of the meeting.

II. Absence from Meeting

3. The Secretariat had received a notification from the Hon HO Kwan-yiu that he would be absent from the meeting due to other commitments.

III. Confirmation of Minutes of the 2nd Meeting (2018-2019)

4. As Members proposed no amendments to the minutes, the Chairman announced that the above minutes were confirmed.

V. Reporting Items

(A) Position of TMDC Funds up to 31 March 2018
(FAPC Paper No. 13/2018)

5. The Chairman said that as at 31 March 2018, the TMDC had allocated a total of \$30,580,147 to subsidise 1 071 community involvement activities. In the financial year (“FY”) 2017-2018, the total amount of approved funding for Tuen Mun had been revised to \$26,759,000 in view of the actual situation, and the actual expenditure of the TMDC was \$26,755,992, representing almost 100% of the allocated funding. In addition, outstanding payments of \$1,740,541 for the FY 2017-2018 would be carried forward to the FY 2018-2019 for settlement.

6. Members noted the contents of the report.

IV. Discussion Items**(A) Outstanding Payments for Projects Approved in 2017-2018**
(FAPC Paper No. 8/2018)

7. The Chairman remarked that the FAPC would adopt the previous practice to carry forward the outstanding payments of the approved projects set out in the paper to the new FY (i.e. the FY 2018-2019) for settlement. As Members had no objection, the Chairman announced that the allocation of funding for the projects set out in the paper was endorsed. Projects involving funding of \$100,000 or more would be, in accordance with the general procedures, submitted to the TMDC meeting to be held on 8 May 2018 for endorsement and confirmation.

[Post-meeting note: The TMDC endorsed the allocation of funding for projects involving funding of \$100,000 or more at the meeting on 8 May 2018.]

(B) Draft Budget of TMDC Funds (2018-2019)
(FAPC Paper No. 9/2018)

8. The Chairman reminded Members that during the discussions on the “draft budget of TMDC Funds” and “DC Funds applications”, if Members found that their posts or capacity were related to any partner organisations or other district organisations of activities in the applications but the information concerned had not yet been stated in the Form for Declaration of Interests in Handling TMDC Funds or the Registration of DC Member’s Interests, the Members were required to make declarations even if they did not intend to speak or vote on the matters concerned. Members should refrain from speaking on any matters in which they had interests. However, if they wished to speak or vote on the matters concerned, they should make a request beforehand. The Chairman would, in accordance with the Standing Orders, decide whether the Members might speak or vote on the matters concerned, might remain at the meeting as observers, or should withdraw from the meeting.

9. The Chairman said that the preliminary draft budget of TMDC Funds (2018-2019) had been set out in the paper. The Home Affairs Department (“HAD”) had announced that the total amount of approved funding for the TMDC for the FY 2018-2019 was \$30,330,000. The chairmen and the vice-chairmen of the TMDC and the respective committees had been

preliminarily consulted on the draft budget in which their views had been incorporated.

10. The Secretary briefed Members on the highlights of the draft budget as follows:

- (i) The HAD had announced that the total amount of approved funding for the TMDC for the FY 2018-2019 was \$30,330,000, of which \$27,530,000 would be allocated to subsidise general Community Involvement Projects and \$1,400,000 would be allocated as a dedicated funding to promote local arts and cultural activities. Furthermore, the HAD had allocated an additional sum of \$1,400,000 as a time-limited funding dedicated to promoting local arts and cultural activities for a period of five years, with this year being the fourth year of the period;
- (ii) In the past FY 2017-2018, outstanding payments of the TMDC amounted to \$1,740,541 and needed to be carried forward to this FY for settlement;
- (iii) According to the draft budget this year, the amount of funding earmarked for most committees/working groups under the TMDC and committees under the Tuen Mun District Office was the same as that of the previous year. Among them, the estimated amount of funding for five projects had not been adjusted in line with the overall increase of 15% in the previous year so they would receive a supplementary increase of 15% this year. The projects included:
 - (a) Major activities (Beach Festival);
 - (b) Cleaning of District Council (“DC”) notice boards and posting of notices;
 - (c) Extension of opening hours of community halls/centres;
 - (d) Activities of Tuen Mun District Organising Committee for the Hong Kong Games; and
 - (e) Tuen Mun District Dragon Boat Race;
- (iv) In view of inflation and funding earmarked for subsequent pay rise, it was necessary to slightly increase the funding for “engaging dedicated staff to discharge DC duties” and such funding application had been approved by the TMDC earlier;

- (v) In view of comments from participating TMDC members, it was suggested that the estimated amount of funding for “participating in marathon races” be increased from \$6,555 to \$8,500;
- (vi) Since the Working Group on Economic Development in Tuen Mun under the Commerce, Industry and Housing Committee would have new work plans this year, it was suggested that its funding be increased to \$250,000;
- (vii) Apart from producing calendars and red packet envelopes, the FAPC would attempt to carry out other promotional activities this year. It was therefore suggested that the funding for the relevant working group be increased to \$287,500;
- (viii) Since lighting decorations were well received by Tuen Mun residents, it was suggested that the funding be increased by \$100,000 to \$1,300,000;
- (ix) It was suggested that the estimated amount of funding for the following special organisations be increased by 3%:
 - (a) District Fight Crime Committee;
 - (b) Committee on the Promotion of Civic Education;
 - (c) Tuen Mun District Youth Programme Committee;
 - (d) District Fire Safety Committee;
 - (e) Tuen Mun Committee for National Day Celebration; and
 - (f) Tuen Mun District Respect for the Aged Association;
- (x) Since the activities held by the following special organisations were mostly non-one-off cultural, arts or sports events benefitting Tuen Mun residents in general, it was suggested that their estimated amount of funding be increased by 10%:
 - (a) Tuen Mun Sports Association;
 - (b) Tuen Mun Arts Promotion Association;
 - (c) Tuen Mun Children Choir; and
 - (d) Five area committees;
- (xi) “Tuen Mun District Road Safety Campaign Organising Committee” had not organised any activity since 2011. The Secretariat had earlier written to the above committee and received a reply that they had no plan to

organise any activity. Therefore, the Secretariat proposed that no funding be earmarked for the committee;

- (xii) Starting from December 2017, the FAPC had upwardly adjusted the ceiling on each claim of reimbursement made by general district organisations and the reimbursement amount of most of the reimbursement items at the same time. Therefore, the Secretariat expected that the actual impact of the upward adjustment of reimbursement amount would gradually emerge in this FY so more funding should be earmarked for general district organisations, and the Secretariat suggested increasing the estimated amount of funding concerned to \$5,500,000;
- (xiii) Since the expenditure of mutual aid committees on activities was relatively low in the previous FY, it was suggested that accordingly the estimated amount of funding be significantly reduced from \$900,000 to \$750,000, which was the same as the amount in the FY 2016-2017; and
- (xiv) The estimated amount of over-commitment this year was 9.38%, slightly higher than 6.37% for the previous FY.

11. As Members had no comments to the draft budget of TMDC Funds, the Chairman announced that the contents of the paper were endorsed. He further said that the paper concerned would be submitted to the TMDC meeting for endorsement and confirmation.

[Post-meeting note: The TMDC endorsed the above draft budget at the meeting on 8 May 2018.]

(C) DC Funds Applications (Projects to be Held in September 2018)
(FAPC Paper No. 10/2018)

12. The Chairman said that, to facilitate discussion, the Secretariat had, in accordance with TMDC Funding Guidelines on Implementation of “Community Involvement Projects” (“Funding Guidelines”), scrutinised beforehand the funding applications set out in the paper for Members’ reference. There was only one application submitted by the Tuen Mun North West Area Committee for a funding of \$81,000. However, according to the draft budget this year (see FAPC Paper No. 9/2018 endorsed earlier), funding for each area committee was

capped at \$75,900. As such, the Secretariat had recommended an allocation of \$75,900 to that application.

13. As Members had no comments on the application concerned, the Chairman announced that the contents of the paper were endorsed.

(D) Follow-ups Regarding the Amendments Made by the Home Affairs Department on the Manual on the Use of DC Funds (FAPC Paper No. 11/2018)

14. The Chairman briefly introduced the amendments made by the HAD on the Manual on the Use of DC Funds (“Manual”) and asked Members to note the relevant details, which are summarised as follows:

- (i) In view of the advice of the Audit Commission, the HAD had recently made amendments to the Manual. Among them, the HAD had prepared for the DCs “guidelines on review of the list of designated organisations” and “good practice guidelines on selection of non-government organisation partners” and had already incorporated relevant contents in paragraphs 4.2 to 4.3 of the Manual. Details could be found in Annexes 1 to 3 to the paper;
- (ii) About “guidelines on review of the list of designated organisations”, the current practice of the TMDC fulfilled the requirements of the guidelines. Also, for special organisations receiving funding from the TMDC recurrently, a “list of special organisations”, i.e. Annex II to the Funding Guidelines (see Annex 4 to the paper) had along been put in place by the TMDC ;
- (iii) About “good practice guidelines on selection of non-government organisation partners”, the current practice of the TMDC also fulfilled the requirements of the guidelines. The TMDC had even formulated a relevant mechanism set out in Annex 5 to the paper for TMDC/committees/working groups/steering groups to follow when inviting partner organisations to co-organise activities; and
- (iv) The Government had made amendments to the Stores and Procurement Regulations on 1 January 2018. Among them, the ceilings on the

quotations for government departments' procurement of goods and services had been downwardly adjusted from \$1.43 million to \$1.4 million. If the goods or services intended to procure exceeded \$1.4 million, that procurement had to be done by the use of open tendering. The relevant amendments had also been incorporated in paragraphs 7.1.1 to 7.1.2 of the HAD's Manual.

15. The Chairman added that the FAPC had reviewed the list of special organisations at the meeting on 16 December 2016 and decided to remove the TMDC, its committees and its working groups from the list concerned. Therefore, the TMDC had already fulfilled the requirement of the "guidelines on review of the list of designated organisations" that the list of special organisations be reviewed at least once in each term of office of the relevant DC. Since the TMDC had to prepare the draft budget for 2018-2019, the Secretariat had again reviewed the above list of special organisations and noted that currently two of the special organisations, namely "New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee" and "Tuen Mun District Road Safety Campaign Organising Committee", had not organised activities for many years. According to record, the former and the latter had not organised any activity since 2006 and 2011 respectively. Later, the Secretariat had confirmed with the Hong Kong Police Force ("HKPF") that the former had been dismissed, and after writing to the latter on 29 March 2018, the Secretariat received a reply that that organisation had no plan to organise any activity. Since "New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee" had been dismissed and "Tuen Mun District Road Safety Campaign Organising Committee" had no intention to organise any activity, the Secretariat proposed to remove them from the list of special organisations. The Chairman asked Members to comment on the matter.

16. A Member suggested keeping "New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee" on the list of special organisations so that the HKPF could apply for DC Funds to promote road safety messages when necessary. In addition, he requested that funding be earmarked for the two standing working groups under the Traffic and Transport Committee ("TTC").

17. A Member said that DC Funds had been earmarked for the two standing

working groups under the TTC. Members of the relevant working groups could consider using the relevant funds to promote road safety messages. Furthermore, since “New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee” had been dismissed and “Tuen Mun District Road Safety Campaign Organising Committee” had no intention to organise any activity, the Member opined that there was no need to earmark funds for them.

18. A Member remarked that the HKPF had confirmed the disbandment of “New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee” and that other general district organisations could also apply for DC Funds to organise activities related to road safety. Therefore, he agreed with the removal of the above organisation from the list of special organisations.

19. The Secretary added that when preparing the draft budget of TMDC Funds for this FY, the Secretariat had reviewed the list of special organisations and noted that “New Territories North Road Safety Campaign Committee Tuen Mun District Organising Committee” under the HKPF had already been dismissed so the Secretariat proposed to remove it from the list of special organisations. The HKPF had also indicated that its headquarters had separate funds for each police district to organise road safety publicity activities and would be willing to cooperate on activities funded by the DC. In addition, a total of \$250,000 had been earmarked for the two standing working groups under the TTC for this FY.

20. As Members had no other comments, the Chairman announced that the proposal concerned was endorsed.

(E) Arrangements for Submission of Discussion Papers
(FAPC Paper No. 12/2018)

21. The Chairman said that at the meeting on 16 January 2018, the Social Services Committee had discussed whether a proposer of a paper was allowed to mention his/her political affiliation in the contents of the paper submitted to the TMDC and its committees. The Secretariat had then checked the Standing Orders and consulted the Chairman of the TMDC in this regard, and confirmed that it was not stipulated in the Standing Orders that a proposer of a discussion

paper might not mention his/her political affiliation in the paper. Notwithstanding this, a consensus on this matter had been reached among DC Members some years ago. Since guidelines on the above matter had not been provided in the Standing Orders currently, at the meeting on 23 February this year, the FAPC agreed to have a detailed discussion in this regard and requested the Secretariat to ask about the current practices of other DCs for reference. After the enquiry, the Secretariat noted that the Standing Orders of the other 17 DCs did not stipulate that a proposer of a discussion paper might not mention his/her political affiliation in the paper. While some DCs allowed the proposer of the discussion paper to print the name and logo of the political party on the paper submitted or to mention his/her political affiliation in the contents of the discussion paper, some standardised the formats of all discussion papers and avoided the appearances of the name or logo of the proposer's political party on the discussion paper.

22. The Chairman asked Members to discuss whether there was a need to add new clauses to the Standing Orders to restrict a proposer of a discussion paper from mentioning his/her political affiliation in the paper.

23. A Member said that he had no particular comment on this matter and would be willing to follow the decision of the FAPC.

24. As Members had no other comments, the Chairman asked Members to follow the current practice and avoid mentioning personal political affiliations in papers.

25. A Member asked whether there would be additions made to the Standing Orders as proposed by the paper.

26. A Member said that since Members agreed to adopt the past practice, he suggested that the FAPC make additions to the Standing Orders as proposed by the paper.

27. As Members had no other comments, the Chairman announced that the contents of the paper were endorsed and asked the Secretariat to submit the relevant proposal to amend the Standing Orders to the DC meeting to be held on 8 May 2018 for endorsement and confirmation.

[Post-meeting note: The TMDC endorsed the above proposal to amend the Standing Orders at the meeting on 8 May 2018.]

V. Reporting Items

(B) Report of Working Group on Matters Relating to 2019 TMDC Calendars And Red Packets
(FAPC Paper No. 14/2018)

28. Members noted the contents of the report.

(C) Case on Cancellation of Reimbursement of DC Funds
(FAPC Paper No. 15/2018)

29. The Chairman remarked that since the three organisations set out in the paper had breached the requirements of the Funding Guidelines, their funding had been withdrawn. The Secretariat had informed the organisations concerned of the decision and they had not lodged any appeal by the deadline.

30. Members noted the contents of the report.

VI. Any Other Business

31. The Chairman said that the Working Group on Traffic Problems within Tuen Mun District had recently received a letter from “Action Team on Monitoring Tuen Mun District Council”, commenting on a study conducted by the working group earlier. The working group had discussed in that regard at the meeting on 18 April 2018 and opined that it should handle letters from other organisations in accordance with the Standing Orders. Since guidelines on the above situation had not been provided in the Standing Orders, the working group hoped that the FAPC would have discussions on the matter so that committees or working groups could standardise their approach in handling such situation in the future.

32. The Chairman added that the TMDC/committees/working groups from time to time received letters from external organisations expressing their opinions. Based on the current approach, committees or working groups might discuss at their meetings whether to accept the relevant opinions or how to give a reply. Since the current approach was relatively flexible, he suggested that at the moment there was no need to make additions to the Standing Orders in this regard and asked Members to comment on the matter.

33. A Member said that the organisation expressing opinions this time had written to them on many occasions but those letters had not specified the person-in-charge, address or contact method of the organisation. Therefore, the Member hoped that the FAPC would provide guidelines on how to respond to the relevant letters so that committees or working groups could standardise their approach in handling such situation in the future. If the committees or the working groups had to discuss how to reply to enquiries from external organisations every time, it would doubtlessly increase the workload of the TMDC.

34. A Member said that Members should focus their discussion on how to handle anonymous letters sent to the TMDC or its committees and consider whether they should reply to letters with email addresses.

35. A Member opined that there was no need to reply to anonymous letters and pointed out that members of the public had different channels to express opinions to DC Members, for example, contacting DC Members directly or joining the Meet-the-Public Scheme.

36. The Secretary added that in general, the Secretariat would pass a letter from an external organisation to the chairman of the TMDC or relevant committee for perusal and give a reply based on his/her instruction. The chairman of the TMDC or relevant committee could also include the relevant letter in the agenda when necessary so that other members of the TMDC or committee could take note of it and discuss how to give a reply.

37. The Chairman said that the current approach was relatively flexible and opined that there was no need to make additions to the Standing Orders at the moment.

38. A Member asked how the Government would assist or protect members of the TMDC if the TMDC or its members were frequently disturbed by anonymous letters.

39. A Member said that some enquiries from external organisations were related to the purview of different committees and it would be very cumbersome

if the letters concerned were passed to the meetings of the respective committees to separately discuss how to give a reply.

40. The Chairman said that the letters concerned should be passed to the chairmen of the respective committees for handling.

41. A Member said that the external organisation writing to express opinions this time had focused mainly on problems of meeting procedures. He expected that there would be more similar letters so he suggested the TMDC consider the approach to handle the relevant matter as a whole.

42. District Officer (Tuen Mun) said that external organisations from time to time expressed opinions to the chairmen of the TMDC or of the respective committees or all TMDC members by email. In general, the Secretariat would pass the relevant letter to the chairman of the relevant committee for perusal and give a reply or take other follow up actions based on his/her instruction. If the chairman of the committee found the letter frivolous or its contents unsubstantiated and thus follow up actions were not required, the Secretariat would also clearly record the chairman's decision.

43. A Member surmised that the letter to the Working Group on Traffic Problems within Tuen Mun District had been sent anonymously by individuals related to the TMDC and said that individuals concerned should express their opinions by submitting discussion papers through TMDC members.

44. A Member agreed with the approach that the chairman of the TMDC or the committee discussed with the Secretariat how to reply to letters from external organisations.

45. The Chairman asked the Secretariat to handle relevant matter with the chairman of the TMDC or the committee based on the current approach.

46. There being no other business, the Chairman announced the meeting closed at 10:23 a.m. The next meeting would be held on the morning of 15 June 2018 (Friday).

Action

Tuen Mun District Council Secretariat

Date: 14 May 2018

File Ref: HAD TM DC/13/25/FAPC/18