

Minutes of the 7<sup>th</sup> Meeting of  
the Finance, Administration and Publicity Committee (2016-2017) of  
the Tuen Mun District Council

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Date: 16 December 2016 (Friday)  
Time: 9:32 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, MH	TMDC Vice-chairman	9:32 a.m.	End of meeting
Mr TO Shek-yuen, MH	TMDC Member	9:38 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	9:39 a.m.	End of meeting
Ms WONG Lai-sheung, Catherine	TMDC Member	9:34 a.m.	End of meeting
Ms HO Hang-mui	TMDC Member	9:38 a.m.	End of meeting
Mr LAM Chung-hoi	TMDC Member	9:35 a.m.	10:19 a.m.
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	9:32 a.m.	End of meeting
Ms SO Ka-man	TMDC Member	9:30 a.m.	End of meeting
Mr KAM Man-fung	TMDC Member	9:30 a.m.	End of meeting
Mr MO Shing-fung	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	9:37 a.m.	End of meeting
Ms LEE Wen-choi, Winnie (Secretary)	Executive Officer I (District Council)2, Tuen Mun District Office, Home Affairs Department		

Absent with Apologies

The Hon HO Kwan-yiu, JP (Vice-chairman) TMDC Member

Mr SO Shiu-shing TMDC Member

Mr CHAN Manwell, Leo TMDC Member

Mr CHEUNG Hang-fai TMDC Member

Mr YIP Man-pan TMDC Member

By Invitation

Mr CHONG Wing-on, Jonathan Housing Department, Housing Manager/Tuen Mun 3

In Attendance

Ms FUNG Ngar-wai, Aubrey District Officer (Tuen Mun), Home Affairs Department

Mr CHAU Ka-nin, Eric Senior Liaison Officer (2), Tuen Mun District Office,  
Home Affairs Department

Mr LAU Chun-fai, Lawrence Senior Executive Officer (District Council), Tuen Mun  
District Office, Home Affairs Department

I. Opening Remarks

The Chairman welcomed all to the 7<sup>th</sup> meeting of the Finance, Administration and Publicity Committee (“FAPC”).

2. The Chairman reminded Members that any Member who was aware of a personal interest in a discussion item should declare the interest before the discussion. The Chairman would, in accordance with Order 39(12) of the Tuen Mun District Council (“TMDC”) Standing Orders, decide whether the Member who had declared an interest might speak or vote on the matter, might remain in the meeting as an observer, 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 Secretary reported that no application for leave of absence had been received from Members.

III. Confirmation of Minutes of The Last Meeting

4. As Members proposed no amendments to the minutes of the 6<sup>th</sup> meeting of the FAPC (2016-2017), the Chairman announced that the minutes were confirmed.

IV. Matters Arising

(A) Preparation of Budgets for Activities Subsidised by TMDC Funds

(FAPC Paper No. 24/2016)

(Paras. 6-15 of the minutes of the 6<sup>th</sup> meeting of FAPC in 2016-2017)

(FAPC Paper No. 31/2016)

5. The Chairman said the FAPC had discussed the subject matter at its previous meeting. After that, the Secretariat had reviewed the system in light of Members’ concerns, sought advice again from the Home Affairs Department (“HAD”), and then prepared Paper No. 31/2016. Generally speaking, the proposals in this paper were in line with the current practices. The Secretariat would organise publicity and education activities, such as a briefing session, to gradually rectify the existing problem of discrepancies between the information provided in district organisations’ applications for reimbursement of funds and the information contained in the application forms. The briefing session was expected to be held in the first quarter of 2017.

6. Members’ comments and enquiries are summarised as follows:

(i) A Member agreed with the paper’s idea of requesting effective use of public

money, but opining that district organisations might not understand the detailed requirements for application for District Council (“DC”) Funds. The Member suggested briefing sessions be held for district organisations before the strict implementation of the measures. Another Member suggested the Secretariat introduce the contents of the briefing session to Members beforehand;

- (ii) A Member enquired whether the problem of discrepancies between final reports and the contents of application forms was common. The Member reckoned that the TMDC always complied with the requirements in funding criteria, and it was not common for district organisations to use funds for activities to acquire large furniture and computers. Members suggested the Secretariat remind district organisations that any capital items acquired should be returned to the Secretariat after the activities;
- (iii) A Member indicated that district organisations usually lacked resources and unexpected expenditures were inevitable in activities, so they had to charge fees for their activities to break even. If excessively harsh requirements were set in the manual for use of funds, district organisations would be discouraged from organising activities, so the Member hoped the HAD would assign officers to explain the requirements in the manual for use of funds. Another Member believed that district organisations might not declare expenditure items in full for fear of cuts in funding;
- (iv) A Member held the view that the funding arrangements for the TMDC and its committees, specific organisations and general district organisations should be the same; and
- (v) A Member remarked that it was impracticable to request district organisations to make applications in respect of changes in their activities 14 working days in advance, because the expenditures and incomes of activities would be affected by enrollment.

7. Ms KONG Fung-yi declared interest as the chairman of Tuen Mun Elderly United Association and Tuen Mun Forth Viewers. She was allowed by the Chairman to speak. In her opinion, the TMDC should not strict with others but lenient with itself, and funding applications by the TMDC and district organisations should be examined on the same basis. She also reckoned that the Secretariat should consult

the TMDC before issuing letters to district organisations for matters concerning the funding mechanism.

8. Mr TO Shek-yuen declared interest as the first vice-chairman of the Tuen Mun Rural Committee, the chairman of Tuen Mun Sports Association, the chairman of Tuen Mun People's Association, and an office holder of a village committee office. He was allowed by the Chairman to speak. He expressed support for the spirit of DC Funds. But in view of the fact that the procedures for DC Funds application were so complicated as to discourage organisations from making applications, he suggested the HAD listen more to the views of district organisations on funding matters.

9. The Secretary's responses to Members' enquires and comments are summarised as follows:

- (i) Having sought Members' views and considered the difficulties faced by district organisations, the Secretariat had revised the proposals in the previous paper. The current proposals did not deviate from the existing mechanism, but reiterated that a district organisation should as far as practicable declare all expenditure items at the application stage. If the organisation informed the Secretariat of any additional expenditure items only after an activity was held, the Secretariat would still grant approval as long as the items were neither funded by DC Funds nor capital in nature or too expensive;
- (ii) The Secretariat would step up education efforts by, for example, organising briefing sessions. The briefing session concerned would explain to district organisations the spirit of the current manual on use of funds;
- (iii) The illustration in the paper served to explain the loopholes in the mechanism and the reasons why district organisations were required to declare expenditure items in full. As far as DC Funds were concerned, no approval would be granted to unreasonable expenditures, but some district organisations had used incomes from activities to purchase the items concerned, overlooking the fact that the TMDC might have to provide more reimbursements as a result;
- (iv) Activities of the TMDC and its committees were usually free of charge, and the loopholes of the current mechanism mainly arose in fee-charging activities. This explained why most of the activities concerned were organised by district organisations; and

- (v) Discrepancies between items in application forms and those in final reports were not something rare, but the Secretariat had no data in this regard.

10. The Chairman reiterated that the mechanism concerned had always been in place at the TMDC. He said that while the Secretariat wanted to remind district organisations to observe the rules in the manual, it would still exercise flexibility and make publicity and education efforts to rectify the problem concerning some organisations' failure to observe the rules. He also indicated that in view of the comments made by Members at the previous meeting, the Secretariat would not strictly enforce the rules concerned in the current financial year ("FY"), but it would hold the briefing session first to remind district organisations about the requirements in the manual on use of funds.

V. Discussion Items

(A) DC Funds Applications (Projects to be Held or Commence between December 2016 and March 2017)

(FAPC Paper No. 32/2016)

11. The Chairman reminded Members that during the discussion on applications for DC Funds, Members should refrain from speaking on any funding applications with which they found themselves associated, and that if they wished to speak or vote on the funding applications concerned, they should make such a request to the Chairman before doing so. As Members had submitted the Declarations of Interests in Handling DC Funds before, they were not required to make declarations again at this meeting unless they wished to speak or vote on applications with which they were associated.

12. Ms KONG Fung-yi declared interest as the chairman of Tuen Mun Elderly United Association and Tuen Mun Forth Viewers, so she would not join the discussion on this paper. As Members had no comments on the application for funding, the Chairman announced that an allocation of \$141,495 was endorsed for a total of four applications.

(B) DC Funds Applications (Projects to be Held or Commence between March and June 2017)

(FAPC Paper No. 33/2016)

13. The Chairman indicated that the amounts of some funding applications in the paper were higher than in the preceding year. However, the HAD was yet to

announce the aggregate amount of funding for the new FY (i.e. 2017-2018); therefore, to ensure prudent finance, the Chairman suggested that the amounts of funds allocated in the preceding year be set as the upper limits for all the applications except the one for employment of specific staff, in respect of which the funding amount would inevitably be adjusted upwards due to salary increases. The Chairman's recommendations and Members' comments on the individual applications are summarised as follows:

(i) **Using DC Funds to Employ Specific Staff Assisting in TMDC's Performance of Duties**

The Chairman indicated that after reviews of the previous year's workload and manpower, it was recommended that in accordance with the arrangements adopted in the previous year, contract staff would continue to be employed in the next FY to assist the TMDC in performing its duties, with the total estimated expenditure not exceeding 15% of the aggregate amount of funding for TMDC in the FY 2017-2018.

(ii) **Free Cultural Programmes and Public Library Extension Activities Programmes Held by Leisure and Cultural Services Department in Tuen Mun District from March 2017 to February 2018**

The Chairman said the applications were recommended by the District Facilities Management Committee at its meeting on 6 December 2016. Besides, as the FY 2016-2017 would close in March, the expenditures of activities held by the Leisure and Cultural Services Department ("LCSD") in March 2017 would be carried forward to the FY 2017-2018 for payment. The arrangements concerned were stated in the paper. A Member suggested the LCSD strengthen the promotion of free cultural programmes to draw more participants, so that the funds could be used in a more meaningful way.

LCSD

(iii) **Cleaning of DC Notice Boards and Posting of Notices on the Boards**

The Chairman said the FAPC had used the services offered by the Pentecostal Church of Hong Kong Sheltered Workshop for many years in light of the principle of caring about the disadvantaged's integration into the community and the fact that the organisation employed disabled persons to provide services. Yet, the FAPC had discussed the matter in February this year and it had been suggested that an open invitation for tenders be launched in the new FY. In this connection, the Chairman asked Members whether they agreed that the open invitation for tenders be launched and only organisations

employing disabled persons be invited to submit quotations. In this regard, Members agreed that disabled persons should be taken care of and therefore supported launching an open invitation for tenders from organisations employing disabled persons on “Cleaning of DC Notice Boards and Posting of Notices on the Boards”.

(iv) **Publicity Plan, Organisation of District Activities and Opening Carnival for Tuen Mun District Youth Programme 2017**

Ms CHING Chi-hung declared interest as the convenor of the working group on vetting of funding and publicity under the Tuen Mun District Youth Programme Committee. She was allowed by the Chairman to speak. She indicated that the activities were not fully funded and prices were rising. Therefore, she asked whether the music royalty for the activities could be waived or, alternatively, whether more funding could be provided for the local youth’s performance in the activities. In her view, the TMDC should treat all equally: if no additional funding was provided for the activities concerned, no supplementary funding should be provided for the activities held by other organisations either. Another Member agreed with the proposal to waive the royalty for songs. Besides, a Member suggested consideration be given to including subsidies for music royalty when the funding budget was drawn up next year.

The Chairman responded that the activities concerned would be held in the next FY and the HAD was yet to announce the amount of funding for the next FY; therefore, for financial prudence, the FAPC could only allocate funding based on the amount of funds allocated in the preceding year for the time being. He advised the organiser to plan the activities in accordance with the funding amount. A Member agreed that DC Funds might not necessarily be able to cover all expenditures of activities and organisations were supposed to make flexible arrangements in light of the funding amounts.

Mr Eric CHAU of the Tuen Mun District Office said that while the budget for the summer vacation activities involved a number of minor expenditures, the organiser would strive to use the funds in accordance with actual needs and the amount of deduction was not large this time, so it was believed that the organiser could fit in with the change by cutting the expenditures on some items.



(v) **Tuen Mun Beach Festival 2017**

The Chairman said the working group had, by circulation of papers, given consent to the activity concerned. Members had no comments, and the Chairman stated that the application would be submitted to the TMDC for endorsement.

14. The Chairman concluded by saying that the Secretariat had recommended 13 funding applications for an amount of \$7,532,820 in total. Members had no further comments, and the Chairman announced that the above funding applications were endorsed. Applications for funding of \$100,000 or more would be submitted to the TMDC for final endorsement.

(C) **Revision of TMDC Funding Guidelines on Implementation of “Community Involvement Projects”**

(FAPC Paper No. 34/2016)

15. The Chairman said this paper suggested that for easy compliance by organisations, minor amendments and additions be made to the TMDC Funding Guidelines on Implementation of “Community Involvement Projects” (“Funding Guidelines”) to specify more clearly some rules that were in force but not included in the Funding Guidelines. Moreover, under the current Funding Guidelines, the TMDC and its committees and working groups were on the list of specific organisations. Yet, the HAD had recently indicated that the practice of the TMDC was different from that of other DCs. The Chairman further said that the activities of the TMDC and its committees and working groups were endorsed at the relevant ad hoc meetings before they were carried out. He also said the Funding Guidelines had already specified the requirements to be observed by the TMDC and its committees and working groups in applying for DC Funds, adding that these requirements were not exactly the same as those for other specific organisations. Therefore, it was suggested that the TMDC and its committees and working groups be removed from the list of specific organisations to avoid confusion. The amendments would not have any material impact on funding applications by and reimbursements to organisations.

16. Members had no comments, and the Chairman said the revised Funding Guidelines would be uploaded onto the TMDC’s website early next year for applicants’ reference.

VI. Reporting Items

(A) Outstanding Payments for Projects Approved in FY2015-2016  
(FAPC Paper No. 35/2016)

17. The Chairman said that according to the HAD's requirements, if a reimbursement was made by cheque in the previous year for expenditures incurred by an activity and the cheque was not presented in the end, the District Office should cancel the cheque and re-arrange the reimbursement using the funds allocated for the current FY. Members had no objection to the arrangements, and the Chairman asked the Secretariat to cancel the unrepresented cheques and re-arrange the reimbursements.

Secretary

18. A Member reckoned that if the amounts of unrepresented cheques were relatively large, there would be greater implications on the funding in the current FY. The Member suggested this be brought to the HAD's attention and the Treasury be asked to modify the related arrangements to avoid using the funds allocated for the new FY to make such reimbursements. Besides, a Member enquired why the cheque for the current case had not been presented.

19. The Secretary replied that the organisation in the current case had explained that the cheque had been expired because the organisation's account had been frozen and the handling procedures were complicated and time-consuming. The FAPC had to be consulted since the case entailed using the funds allocated for the current FY. She further said that from experience, the amounts of unrepresented cheques were usually not significant.

20. The Chairman opined that while it might be difficult for the HAD to change the current practice, he would like the Secretary to seek the HAD's advice on how to handle unrepresented high-value cheques which entailed using the funds allocated for a new FY for payment.

Secretary

(Post-meeting note: The Secretariat issued a letter to the HAD on 23 January 2017 and received a reply as attached on 8 February 2017.)

(B) Position of TMDC Funds up to 6 December 2016  
(FAPC Paper No. 36/2016)

21. The Chairman reported that as at 6 December 2016, the TMDC had allocated a total of \$28,019,730 for funding 1 121 community involvement activities.

(C) Case on Cancellation of Reimbursement of DC Funds

(FAPC Paper No. 37/2016)

22. The Chairman said that the funding to the organisation concerned was cancelled because it had failed without reasonable excuse to go through the reimbursement procedure within two months after the activity and failed to take follow-up action in response to the Secretariat's repeated requests for submission of documents. Members noted the case.

(D) Report of Working Group on Display of Banners by District Councillors

(FAPC Paper No. 38/2016)

23. The Chairman welcomed Mr Jonathan CHONG, Housing Manager/Tuen Mun 3 (Acting) of the Housing Department ("HD"), to the meeting. The Chairman indicated that the working group had offered views on the arrangements for the display of banners in HD-managed areas at several previous meetings, and it had also been proposed at its meeting on 28 November 2016 that the views be passed on to the FAPC for further follow-ups. Therefore, the HD's representative was invited to the current meeting for further discussion.

24. The Convenor of the working group said TMDC Members' questions about display of banners had substantially been addressed, but at the previous meeting of the working group, some members had opined that it was unfair for the HD to allow DC members to display banners in constituencies other than their own, and it had been suggested that the HD follow the practice of the Lands Department and set standardised criteria. As the current practice of the HD was a territory-wide policy, the working group suggested the department consider implementing the new arrangements on a pilot basis in Tuen Mun and hoped the FAPC could reach a consensus at this meeting.

25. Mr Jonathan CHONG of the HD responded that the HD had put in place rules on display of banners since 1999 and had amended the related criteria and restrictions in 2012. According to the HD's guidelines, the elected DC members were given priority for banner display in their own constituencies, while the appointed/ex-officio DC members, the elected Legislative Council ("LegCo") members of the related constituencies, other DC and LegCo members, the mutual aid committees/residents' associations of the estates concerned, or non-governmental organisations of the estates concerned, and other approved charitable/non-profit-making organisations might display banners where necessary. The former housing manager had relayed to the HD headquarters the working group's views on the disorder caused by tolerance to

cross-constituency display of banners. Yet, no reply had been received from the headquarters so far, because the views were concerned with a territory-wide policy and thus required thorough consideration.

26. A Member agreed that it was not appropriate to allow cross-constituency display of banners. Another Member enquired whether public housing estates in various areas had the same number of locations available for banner display. The Member agreed that arrangements for banner display by DC Members of constituencies should be based on the principle of fairness.

27. Mr Jonathan CHONG of the HD responded that the numbers of banner display locations varied from housing estates to housing estates due to their different settings. In view of this, a Member reckoned that it was unfair for different areas to have different numbers of display locations.

28. The Chairman said the HD should revise the current criteria in a timely manner. In support of the working group's proposal, he would like the department's representative to relay it to the headquarters for policy review and consideration of designating Tuen Mun as a pilot district where DC Members of constituencies were given priority for banner display, followed by LegCo members, district organisations, non-profit-making organisations and government-funded activities. He would like the department to report back to the FAPC after the headquarters gave a reply.

29. The Chairman thanked the Convenor of the working group for her efforts in handling banner-related matters and announced the contents of the report were endorsed.

#### VI. Any Other Business

30. There being no other business, the Chairman thanked all TMDC Members, District Officer (Tuen Mun), and the Secretariat for their efforts over the past year. The Chairman closed the meeting at 11:13 a.m. The next meeting would be held at 9:30 a.m. on 17 February 2017 (Friday).

#### Tuen Mun District Council Secretariat

Date: 9 February 2017

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