

Minutes of the 8<sup>th</sup> Meeting of  
the Finance, Administration and Publicity Committee of  
the Tuen Mun District Council

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Date : 17 February 2017 (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
The Hon HO Kwan-yiu, JP (Vice-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 Sheck-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 WONG Lai-sheung, Catherine	TMDC Member	9:30 a.m.	End of meeting
Ms HO Hang-mui	TMDC Member	9:45 a.m.	End of meeting
Mr LAM Chung-hoi	TMDC Member	9:51 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	9:38 a.m.	End of meeting
Mr CHEUNG Hang-fai	TMDC Member	9:30 a.m.	End of meeting
Ms CHU Shun-nga, Beatrice	TMDC Member	9:32 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	10:09 a.m.	End of meeting
Mr YIP Man-pan	TMDC Member	9:37 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
Ms LEE Wen-choi, Winnie (Secretary)	Executive Officer I (District Council) <sup>2</sup> , Tuen Mun District Office, Home Affairs Department		

Absent with Apologies

Mr SO Shiu-shing	TMDC Member
Mr KAM Man-fung	TMDC Member

In Attendance

Ms FUNG Ngar-wai, Aubrey

Mr CHAU Ka-nin, Eric

Mr LAU Chun-fai, Lawrence

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

**I. Opening Remarks**

The Chairman welcomed all to the 8th meeting of the Finance, Administration and Publicity Committee (“FAPC”).

2. The Chairman asked Members to note 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 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. Resignation**

3. Mr CHAN Manwell, Leo resigned from the FAPC on 13 February 2017.

**III. Absence from Meetings**

4. The Secretary reported that no application for leave of absence had been received from Members.

**IV. Confirmation of Minutes of The Last Meeting**

5. As Members proposed no amendments to the minutes of the 7th meeting of the FAPC (2016-17), the Chairman announced that the minutes were confirmed.

**V. Discussion Items**

(A) **DC Funds Applications (Projects to be Held or Commenced between March and July 2017)**  
**(FAPC Paper No. 1/2017)**

6. The Chairman reminded Members that they should avoid speaking if found associated with any application for the DC funds during its discussion. However, they should tell him in advance if they would like to speak or participate in voting on the application for the DC funds. Some time ago, Members had submitted the Forms of Declaration of Interest for Projects Financed by DC Funds. Therefore, they needed not declare again at the meeting unless Members would like to speak or participate in voting on the application associated with them.

7. The Chairman said that items No. 297 to 304 of the paper set out the application for holding recreational and sports activities in Tuen Mun between March 2017 and February 2018 by the Leisure and Cultural Services Department (“LCSD”). The total

amount of the above application was \$7,076,702, which was \$290,058 more than last year. As the Home Affairs Department (“HAD”) had not announced the total amount of funds for the new financial year (i.e. the financial year of 2017-2018), it was suggested referring to the past practice in which a total of 6,786,644 was granted to the LCSD for holding recreational and sports activities between March 2017 and February 2018 according to the total amount of funds granted last year in order to ensure financial prudence. Upon announcement of the actual amount of funds to the District Council (“DC”) for the financial year of 2017 and 2018 by the HAD, the DC would work out the budget for the new financial year. The LCSD could review their use of funds timely and consider application to the DC for additional funds according to their demand. The above arrangement had obtained support at the DFMC meeting held on 7 February 2017.

8. The Chairman further said that the funds for the LCSD’s recreational and sports activities project involved eight applications. After co-ordination with the LCSD, the amount allocated to each application was set out in the paper. Moreover, as the financial year of 2016-2017 ended in March, the LCSD’s expenditure for the activities in March 2017 should be transferred to the financial year of 2017-2018 for settlement while the expenditure for those in March 2018 should be transferred to the financial year of 2018-2019 for settlement.

9. As Members had no objections to the arrangement, the Chairman announced that the funds of \$8,820,756 for 304 applications were endorsed. The amount of application at one hundred thousand dollars or above would be submitted to the meeting of the DC for endorsement and confirmation.

**(B) Adjustment to the Ceilings of Expenditure Items in TMDC Funding Guidelines on Implementation of "Community Involvement Projects" (FAPC Paper No. 2/2017)**

10. The Chairman said that the amount of funds to the TMDC for the new financial year would increase but the actual amount was pending the HAD’s announcement. As many district organisations reflected that the ceilings set for the funds of individual items in the allocations to ordinary district organisations was too low in the past, it was suggested that the ceilings should be reviewed and increased. He further said that the Secretariat would send letters and reply slips to Members to consult district organisations. Then the proposed items of adjustment and the amount concerned should be submitted to the Secretariat. After sorting out Members’ views, the Secretariat would submit the revision concerned to the next FAPC meeting for Members’ scrutiny and confirmation.

11. A Member said a district organization reflected that the subsidy to music royalty was insufficient. As some copyright companies had requested the organisers to pay music royalty before the activities were held, district organisations might change the content of the activities to avoid exorbitant royalty thus affecting the effect of the activities. He suggested that the HAD should hold negotiations with the copyright companies and pay DC's music royalty for the funds allocated to activities all the year round.

12. Another Member suggested that subsidy to music royalty from the DC funds should be increased and hoped the HAD would assist in clarifying the tariff of royalty. On this, a Member said that activities jointly held by the HAD and district organisations or those activities held by individual organisations exempt from tax under Section 88 of the Inland Revenue Ordinance might be exempted from music royalty but only a few activities would satisfy the criteria of exemption or reduction.

13. Ms KONG Fung-yi declared that she was an office bearer at Tuen Mun Forth Viewer. She said that music could make activities more enjoyable so district organisations would be benefited a lot if the HAD could pay music royalty.

14. Mr LAU Chun-fai, Lawrence, SEO (D C) of the Tuen Mun District Office replied to Members' enquiries that the Secretariat had enquired the HAD about the feasibility of all music royalty payment. The latter replied that songs involved in each activity were different so the tariff would not be the same. Therefore, it was difficult to pay music royalty for the whole year. However, currently music royalty was an approved item of expenditure in the DC funds and district organisations could use the subsidy concerned to pay the royalty. He further said that copyright companies might have known the performances before the activities were held so they would request district organisations to pay music royalty. The final amount to be collected would be subject to the actual arrangement of the activities.

15. The Chairman said that this issue was raised in response to Members' request for subsidy to the items of which ceilings were too low. However, it could not be discussed in full detail as it involved too many items. Therefore, the Secretariat would send letters to Members after the meeting for them to fill in the proposed ceilings to be revised for confirmation at the next meeting. However, district organisations should be aware that the funding spirit of the Community Involvement Projects was to subsidise district organisations in holding activities instead of all the expenditure of the activities.

On this, a Member opined that the government should be concerned about the citizens so they should provide district organisations with “assistance” and not “subsidy”.

16. Apart from the views on music royalty, a Member suggested increasing the amount of subsidy for carnival activities to twenty thousand dollars at least. Moreover, a Member reflected that the amount of funds for specific organisations and ordinary district organisations was not the same. For example, specific organisations but not ordinary district organisations could apply for funds to hire tents. He opined that this item should be included as item of subsidy for ordinary district organisations. Moreover, he suggested that the current market price should be used as a reference for working out the insurance premium. He also said that the DC funds granted originally should not be deducted if the district organisations were sponsored by commercial organisations.

17. The Chairman concluded that the FAPC would review the ceilings of the subsidy items of DC funds. Members were invited to fill in the reply slips to reflect the items to be revised. The Chairman requested the Secretariat to take follow-up action for this matter, explain the latest guidelines of the Manual on the Use of District Council Funds and reiterate the spirit of funding at the briefing sessions for district organisations in future.

(Post-meeting note: the Secretariat sent e-mails to FAPC Members on 6 March 2017, asking them to submit proposals to the Secretariat on the ceilings of subsidy items of DC funds to be revised, and the amount concerned.)

**(C) Cleaning of DC Notice Boards and Posting of Notices on the Boards**  
**(FAPC Paper No. 3/2017)**

18. The Chairman said it was resolved by the FAPC at the meeting in December 2016 to send open invitations to the organisations which employed the disabled to provide quotations for the cleaning of DC notice boards and posting of notices on the boards. After the meeting, the Secretariat sent invitations of quotations to four sheltered workshops in Tuen Mun district. Eventually, only the reply from the Pentecostal Church of Hong Kong Sheltered Workshop in Chuk Yuen district was received. The Chairman consulted Members whether they agreed to select the sole bidder Pentecostal Church of Hong Kong Sheltered Workshop as the contractor to assist in cleaning of DC notice boards and posting of notices of the boards.

19. A Member said that giving care to the disabled was supported and opined that commissioning the organisation concerned could enhance the confidence and ability of the disabled. A Member enquired about the list of organisations to which invitations of quotations were sent. On this, the Secretariat replied that the groups of which invitations were sent were sheltered workshops set out in the web page of the Social Welfare Department including the New Life Farm of the New Life Psychiatric Association, the Tin King Sheltered Workshop of the New Life Psychiatric Association, the Pentecoastal Church of Hong Kong Sheltered Workshop and the On Ting Workshop of the Hong Kong Spastic Association.

20. A Member reflected there were few people who would stop and look at notice boards. Another Member enquired about the work load of the contractor and opined that the amount of funds was too low. It was queried whether it satisfy the requirement of lowest wages. There was also concern whether the amount of funds was the reason why no other organisations intended to tender for the contract of the project.

21. The Secretariat replied that there were totally 18 notice boards in Tuen Mun district. The contractor needed to clean the notice boards and post notices once every month. When the Secretariat sent the invitations of quotations, the amount of funds had not been specified.

22. A Member suggested writing to the contractor about the requirement of lowest wages. Another Member pointed out the correct name of the Pentecoastal Church of Hong Kong Sheltered Workshop in the paper.

23. As Members had no objections, the Chairman announced that the Pentecoastal Church of Hong Kong Sheltered Workshop was the contractor. The Chairman said further that the work of the organisation concerned had been observed and it was found that its instructors were patient in teaching the students how to work. He opined that the work concerned should be supported. He also opined that the FAPC selected the organisation as the contractor for the project but the organisation could decide how to assign the work and manpower themselves. However, the FAPC would remind the contractor to pay attention to the requirements of the legislation concerned in light of Members' concern.

**VI. Reporting Items**

**(A) Position of TMDC Funds up to 3 February 2017**

**(FAPC Paper No. 4/2017)**

24. The Chairman reported that the total amount of allocation of DC funds was \$28,107,501 as at 3 February 2017, subsidising 1126 community involvement activities.

**(B) Case on Cancellation of Reimbursement of DC Funds**

**(FAPC Paper No. 5/2017)**

25. The Chairman reported that the organisation of which funds were cancelled did not have the words “Sponsored by the Tuen Mun District Council” printed on the promotional articles for all activities so their funds were cancelled. The organisation did not appeal against this case. Members noted the content of this case.

**VII. Any Other Business**

26. According to the Chairman, as what Members had said about the selection of the contractor for the cleaning of DC notice boards and posting of notices on the boards, there were few people who would stop and look at the notice boards. He opined that announcing the information of the government and DC on electronic display boards instead could be considered since it would be more vivid and convenient.

27. There being no other business, the Chairman announced the meeting closed at 10:17 am. The next meeting would be held at 9:30 am on Friday, 21 April 2017.

Tuen Mun District Council Secretariat

Date: 11 April 2017

File Ref: HAD TM DC/13/25/FAPC/17