

District Council Review

區議會檢討

Workshop for Committee on Governance and Political Development, CSD
on 27 June 2006

策略發展委員會管治及政治發展委員會工作坊
2006年6月27日



Why a review? 爲何要檢討?

- **Last DC Review in 2001** – 28 recommendations, main ones include –
上一次區議會檢討：2001年 – 共有28項建議，主要包括：
 - Departments to submit regular reports to DCs and consult them on matters that would affect the districts
部門定期提交工作報告及就影響地區的事務諮詢區議會
 - Extra \$41 million for DCs to carry out community involvement and minor environmental improvement projects
額外撥款\$4,100萬供區議會作社區參與及小型環境改善工程計劃
 - Core departments to designate officers to provide “1-stop” services to DCs
核心部門派出指定人員爲區議會提供“一站式”服務
 - Set up Independent Commission to review DC members’ remuneration
成立獨立委員會檢討區議員薪津
 - Enhance DCs’ accountability with code of conduct, revised standing order and annual reports
制定規管守則、修訂議事常規及發表年報以提高區議會問責性

Why a review? (cont'd)

爲何要檢討? (續)

- Current review initiated in 2004 Policy Address

這次檢討於2004年施政報告中首次提出

- 2005-06 Policy Address - CE announced District Councils (DCs) would assume responsibility for management of some district facilities and implementation details will be worked out in the on-going DC review

於2005-06年施政報告中，行政長官宣布會讓區議會參與管理一些地區設施，並會在已展開的區議會檢討中落實

Achieving Objectives in the 2005-06 Policy Address

達成2005-06年度施政報告的目標

- To enhance work in districts to promote effective governance at district level (para.19)
促進地區層面的有效施政 (第19段)
- To expand the role of DCs to better meet local needs and aspirations (para.20)
擴展區議會的功能以更好地回應地區需要及訴求 (第20段)
- To foster harmony in the community through concerted efforts (para.27)
共同努力創建和諧社會 (第27段)
- To promote political participation at various levels and provide opportunities for aspiring politicians to participate in government work (para.26)
鼓勵不同層次的政治參與，提供機會讓有政治抱負的人士可參與政府工作 (第26段)

Parameters for the Review

進行檢討時，須以下列各點為依據：

- Existing legal provisions relating to DCs -
有關區議會的現行法律條文：
 - Article 97 of Basic Law which provides that DCs shall not be organs of political power
《基本法》第97條規定區議會不得為政權性組織
 - Section 61 of the District Councils Ordinance which sets out the functions of DCs –
《區議會條例》第61條列明區議會的職能：
 - Advise the Government on district matters
就地區事務向政府提供意見
 - Undertake district projects for environmental improvement and community involvement with available funds
使用撥款承擔環境改善及社區參與的地區計劃

- Existing powers and responsibilities of the relevant statutory authorities responsible for the delivery of district services, e.g. the Public Health and Municipal Services Ordinance
負責提供地區服務的法定主管當局的現行權力和責任，例如《公眾衛生及市政條例》
- The need for a prudent and gradual approach to ensure no disruption to the delivery of public services at the district level
需要採取審慎和循序漸進的方法，以確保地區層面上公共服務的提供不受到影響
- The need for continued support to be provided by relevant government departments in taking forward the DCs' advice or decision in view of staffing implications
考慮到對員工的影響，因此有關計劃在推行時須由有關政府部門繼續提供支援，以執行區議會的意見或決定

Scope of the Review

檢討範圍

- **Involve DCs in management of district facilities**
區議會參與管理地區設施
- **Enhance work of the Administration in districts**
加強政府的地區工作
- **Composition of DCs**
區議會的組成
- **DC election-related matters**
與區議會選舉有關事宜

Involving DCs in Management of District Facilities

區議會參與管理地區設施

- Aim – to enhance DCs' role to better meet local needs

目的：擴大區議會功能，更迎合地區需求

- Scope of district facilities – a total of over 1700 district libraries, community halls, leisure grounds, sports venues, swimming pools and beaches

超過1700 個地區設施包括：地區圖書館、社區會堂、休憩場地、運動場地、泳池和泳灘

- Facilities not included in this scheme – territory-wide or regional facilities, e.g. Victoria Park, horse-riding schools, museums, civic centres

全港及區域性的設施將不包括在內，如：維多利亞公園、馬術學校、博物館、文娛中心

Involving DCs in Management of District Facilities (Cont'd)

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區議會參與地區設施（續）

	Current Arrangement 現行安排	Proposed Arrangement 建議安排
Operation, management and maintenance of facilities 設施的運作、 管理和維修	Undertaken by LCSD and HAD, the latter with advice from appointed committees in respect of community halls. 由康文署及民政署負責，社區會堂並設有委任委員會提供意見。	DCs, through District Facilities Management Committee (DFMC), consider and endorse proposals and LCSD/HAD follow DFMCs' advice without prejudice to existing statutory powers and subject to prevailing Government policies and available resources. 區議會通過地區設施管理委員會考慮及通過康文署和民政署的建議。有關建議在不抵觸現行法例和政策及資源許可下會盡可能根據區議會的決定行事。

Involving DCs in Management of District Facilities (Cont'd)

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區議會參與地區設施（續）

	Current Arrangement 現行安排	Proposed Arrangement 建議安排
Programmes and activities held in district facilities 地區設施的活動	<p>Determined and funded by LCSD, consulting DCs as necessary. In the case of HAD's community halls, Government's role is mainly venue provider.</p> <p>由康文署策劃及資助，並在有需要時諮詢區議會。至於民政署的社區會堂，政府的角色主要是場地提供者。</p>	<p>DCs, through DFMCs, initiate and endorse proposals in LCSD's facilities and provide funding through DC Funds (consolidating LCSD's current programme/ activities budget).</p> <p>區議會透過地區設施管理委員會提出及通過有關康文署設施的建議。</p> <p>區議會撥款將整合現時康文署部份撥款，以資助地區設施管理委員會通過的計劃。</p>

Involving DCs in Management of District Facilities (Cont'd)

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區議會參與地區設施（續）

	Current Arrangement 現行安排	Proposed Arrangement 建議安排
Facility improvement and upgrading works (these are works items costing no more than \$15 million each) 設施改善工程 (1500萬元以下)	LCSD/HAD identify and prioritise the required works, consulting DCs as necessary and bid for funding centrally. 康文署/民政署策劃工程計劃，定出優先次序，並向中央申請撥款。部門在有需要時諮詢區議會。	DCs, through DFMCs, initiate and prioritise proposed works projects to be funded directly from a dedicated capital works block vote for district facilities, with annual provision of \$300 million for 18 districts. 以“專項專款”形式設立每年3億元的基本工程整體撥款，讓區議會通過地區設施管理委員會提出工程計劃及定出優先次序，以推行有關計劃。

Involving DCs in Management of District Facilities (Cont'd)

區議會參與地區設施（續）

	Current Arrangement 現行安排	Proposed Arrangement 建議安排
Design and details of facility improvement and upgrading works 設施改善工程的设计及詳情	Undertaken by LCSD/HAD in conjunction with works department and contractor. 由康文署/民政署聯同有關工程部門及外判商執行。	DCs, through DFMCs, may be involved 區議會可通過地區設施管理委員會參與有關工作。

Enhancing Work in Districts

加強地區工作

- Aim – to enhance communication between the Admin & DCs and institutionalise support for DOs and DMCs
目的：加強政府和區議會的溝通，並為民政事務專員及地區管理委員會的工作提供有組織和有效的支援
- Set up a Steering Committee on District Administration chaired by SHA/PSHA with direct access to Policy Committee to resolve cross-departmental issues
設立由民政事務局局長/常任秘書長出任主席的地方行政督導委員會，並可把跨部門問題呈交政策委員會處理
- Designated Heads of Departments to take turns attending DC meetings
指定部門首長輪流出席區議會會議
- CE to host an annual District Administration Summit
行政長官主持周年地方行政高峯會

Steering Committee on District Administration

地方行政督導委員會

■ Relationship between SCDA and DMCs –

地方行政督導委員會與地區管理委員會的關係：

- DMCs chaired by DOs attended by DC/C, VC & committee chairmen & representatives of 12 departments

地區管理委員會：專員任主席，成員包括區議會主席、副主席、委員會主席及12個部門代表

- SCDA chaired by SHA/PSHA, attended by 14 HoDs, & other HoDs on need basis

地方行政督導委員會 – 由民政事務局局长/ 常任秘書長任主席，成員包括14個部門首長，其他部門首長按需要出席

- DOs can escalate problems not solved at DMC level to SCDA

專員將可把地區管理委員會未能解決的問題提升至督導委員會

- SCDA to find solutions and formulate plans to tackle cross-department district problems and empower DO/DMC to implement accordingly

督導委員會將就跨部門地區問題共商解決方法及為專員和地區管理委員會提供指引

■ SCDA - not just problem-solving, but also to formulate strategy to enhance district work

地方行政督導委員會將不單解決問題，更制定策略，以加強地區工作

Heads of Departments to attend DC meetings 部門首長出席區議會會議

- At present – only 7 departments have regular attendees at DC meetings, with a few others invited by some DCs
現時 – 只有七個部門定期派代表出席，另有幾個部門應數個區議會邀請定期出席其會議

- In future – 22 HoDs with public interface at district level to attend DC meetings regularly
將來 – 22個與公眾有直接接觸的部門首長將定期出席區議會會議
 - Regular dialogue between Senior Government officials and DCs, direct feel of local sentiments
讓政府高層人員能定期與區議會交換意見，直接了解民情

District Administration Summit

地方行政高峰會議

- To take stock of progress in district administration
檢討地方行政工作的進展
- To enhance communication between Admin and DCs at the most senior level
加強政府最高層人員與區議會之間的溝通
- To facilitate exchanges among DCs and sharing of best practices
讓各區議會可就其管理地區設施的角色及其他事務互相交流和分享心得
- To encourage DCs' partnership organisations e.g. NGOs to contribute views on district administration
讓一些與區議會合作的團體可提出有關進一步發展地方行政的意見
- Format – whole day forum with opening session, break-out groups and plenary session
形式 – 整天 – 開幕大會、分組討論和總結會議

Rationale behind these proposals

這些建議的背後理念

- Persistent complaints from DC members –
區議員持續的怨言：
 - Departments failed to take account of DCs' views
部門未有充分考慮區議會的意見
 - Need to be represented at a more senior level
部門應派更高層官員出席
- DC support increasingly important for district-based, as well as territory-wide policies
地區/ 全港性政策：區議會的支持益發重要
- District problems may escalate and undermine effectiveness of public governance
地區問題未能及時處理可打擊政府的管治能力
- Prompt response to public complaints will help enhance credibility of Government
適時回應公眾投訴可有助提升政府的威信

Enhancing Work in Districts – An Illustration: On-street Used Clothes Collection Cages

加強地區工作範例：街上舊衣回收籠

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The Problem

問題

- Causing obstruction in public places
對行人路構成阻礙
- Unsightly, adversely affecting HK's cityscape
不雅觀及影響市容
- Abuse by commercial operators
被商業經營者濫用
- Repeated complaints
大量投訴
- Ineffective enforcement action
現行執法行動效果未如理想

Why Ineffective Enforcement?

為何執法效果不理想?

- No one piece of appropriate legislation: limitation of Land (Miscellaneous Provisions) Ordinance and Public Health and Municipal Services Ordinance
沒有一條合適的法例：《土地(雜項條文)條例》和《公眾衛生及市政條例》的限制
- Difficult to rise above traditional departmental boundaries
難以超越部門傳統分工的限制
- Undue worries about legal challenges
過份憂慮法律的挑戰
- Ad hoc coordination
沒有全盤的統籌行動

New Approach: Cross-departmental Cooperation

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新策略：跨部門協作

- Steered by PSHA with senior officers from relevant departments – FEHD, LandsD, Police, DoJ, HAD
由民政事務局常任秘書長督導及有關政府部門的高層官員參與，包括食物環境衛生署、地政總署、警務處、律政司及民政事務署
- Enforcement: “zero tolerance”
執法：“零容忍”
 - Immediate removal of all on-street cages under Summary Offences Ordinance by FEHD under DOs’ coordination
由民政處統籌食環署根據《簡易程序治罪條例》全面清理鐵籠
 - Police to assist in disposing forfeited cages under Criminal Procedure Ordinance through court orders
由警方根據《刑事訴訟程序條例》向法院申請沒收棄置鐵籠
- Community Partnership Scheme
社區參與計劃
 - HAD to liaise with NGOs to install additional “used clothes recycling banks” in designated off street spots
民政事務總署會聯絡非政府機構，在指定的非街道地點增設社區舊衣回收箱



Enhancing Work in Districts through Partnership 透過伙伴關係加強地區工作

- Aim – to enhance work in districts and foster harmony in society
目的：加強地區工作，創建和諧社會
- encourage DCs to partner with other sectors, e.g. NGOs, voluntary and business organisations
鼓勵區議會與各界別(如非政府機構、志願及商界團體)合作
- Ambit of DC funds widened to facilitate such partnership programmes and increased from \$170 million to \$300 million
擴闊區議會撥款的涵蓋範圍以促成協作計劃，及撥款總額由1.7億元增加至3億元
- Worthy programmes already implemented in some districts: create employment, highlight district features
部份地區已在實施一些有意義的計劃，例如創造就業機會或強調地區色彩的計劃
- DCs to draw up collaboration proposals with district characteristics
區議會可制定具地區特色的合作計劃

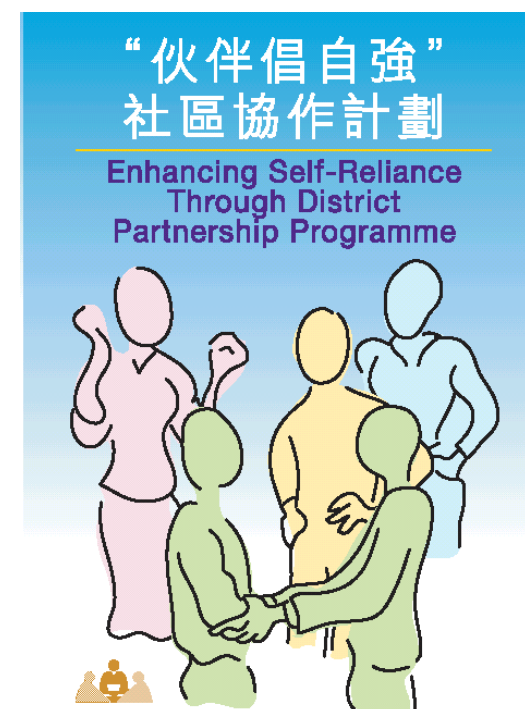
An Illustration: Enhancing Self-reliance Through District Partnership Programme

例子：“伙伴倡自強”社區協作計劃

- The Programme (\$150 million for 5 years) fits in with the renewed emphasis of district partnership and seeks to –

以「地區為本」的扶貧工作和建立地區伙伴關係的目標不謀而合及旨在：

- Promote sustainable poverty prevention and alleviation
推動可持續的地區扶貧紓困工作
- Enhance self-reliance, targeting socially disadvantaged groups
協助社會上的弱勢社群自力更生
- Encourage cross-sector collaboration
促進跨界別合作



Possibilities of District Partnership

社區協作的可行例子

- Term contracts for minor works and repairs funded from DC dedicated block vote
承接區議會專用整體工程撥款下推行的工程建造及維修合約
- Used clothes and furniture recycling business
舊衣及傢俬回收工作
- NGO operated cafes in LCSD facilities
由非政府機構透過社會企業承辦康文署設施內的餐廳



Remuneration 薪津安排

	Current DC package 區議員(現時)	Proposed package 區議員(建議)
Honourarium (Monthly) 酬金 (按月)	\$17,040	\$18,700
Operating expenses (Monthly) 營運開支 (按月)	\$16,348	\$18,000
Entertainment/Miscellaneous (Monthly) 酬酢/雜項 (按月)	X	\$4,000
IT support (per term) 資訊科技支援 (按屆)	\$10,000	X
Setting up (per term) 開設辦事處(按屆)	X	\$100,000
Winding up (per term) 結束辦事處(按屆)	X	\$72,000

Note : These proposals estimated to cost an additional recurrent expenditure of \$48.9 million per year and \$41 million per term are subject to endorsement of Independent Commission on Remuneration of Members of DCs

備註: 若有關建議得到區議會議員薪津獨立委員會的同意，預計每年的額外開支為4,890萬元及每屆的額外開支為4,100萬元

Composition of DCs

區議會的組成

- On the basis that there should continue to be appointed and ex-officio seats for DCs for the term commencing in 2008, we invite the public to offer views on the future composition of DCs having regard to the following considerations:

在2008年開始的新一屆區議會應繼續有委任和當然議席的前提之下，我們歡迎公眾人士基於以下的考慮對日後區議會的組成提供意見：

- (a) DCs' role in ensuring efficient delivery of services at district level
區議會在確保有效提供地區層面的服務方面擔當的角色
- (b) Appointed members have made constructive and useful contribution to the work of DCs over the years
多年來，委任議員對區議會的工作作出的貢獻是有用和具建設性的

DC Election-related Matters

與區議會選舉相關的事宜

- To schedule the polling day in December instead of November in future DC elections in order to shorten the suspension period and minimize the impact of suspension on the discharge of DC duties

將投票日安排在12月而非11月舉行，以縮短區議會的暫停運作期，從而盡量減少暫停運作對區議員履行職務所造成的影響

- To introduce a financial assistance scheme for DC election candidates at the rate of \$10 per vote

推行區議會選舉候選人財政資助計劃，資助額為每票十元

Implementation 推行時間表

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January 2007 2007年1月 –

- Pilot for management of district facilities 區議會參與管理地區設施試驗計劃
- Proposals to enhance ability to resolve cross-departmental issues, strengthen communication with DCs and district partnership
加強處理跨部門問題的能力，增強溝通及伙伴關係的建議

Late 2007 2007年底 –

- Proposals on DC election-related matters 與選舉有關的建議

January 2008 2008年1月 –

- New remuneration package for DC members from the new term (except for winding-up allowance to be considered for implementation in current term)
新的區議員薪津安排由下屆開始生效 (除了結束辦事處津貼可考慮在本屆內實施)

Public Consultation

諮詢工作

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Period of public consultation : up to 31 July 2006
公眾諮詢期：直至2006年7月31日

Channels of consultation : 諮詢渠道

- relevant LegCo Panels 相關立法會事務委員會
- 18 District Councils 十八區區議會
- Public Forums 公眾論壇
- Meetings with other interested organisations 與其他有關團體會面
- dedicated website (www.dc-review.gov.hk) 專設網頁
- publicity leaflet 宣傳單張

Public Views Received So far 現已收集的公眾意見

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- General support from different quarters 各界普遍支持
- 16 DCs have passed positive motions 16個區議會通過支持動議
- TM, K&T, WC, SSP, TW, SK and N DCs have volunteered to join the Pilot Scheme
屯門、葵青、灣仔、深水埗、荃灣、西貢和北區區議會表明希望加入試驗計劃
- Focus on practical aspects rather than political ones
主要關注實務多於政治議題
- Where opinions diverge – 意見分歧之處：
 - DC members want more power; public wary of giving them too much
區議員要求放權；市民有所保留
 - DC members want early implementation of improved remuneration package;
public not quite supportive of a “pay rise” for DC members
區議員希望提早改善薪津；市民則不甚支持區議員“加薪”
 - Some support “gradual approach”; others want ex-Municipal Councils powers
有些支持“循序漸進”，有些則要求下放前市政局權力
 - Some support taking one step at a time; others want timetable and roadmap
for next stage of DC development 有些支持“摸著石頭過河”，有些則要求區議會進一步發展的時間表和路線圖



加強地區工作 提升區會功能

Enhancing work in districts Strengthening District Councils

