

# HAD sternly clarifies unfounded allegation made by SSPDC member Ramon Yuen

In response to the unfounded allegation made by the Sham Shui Po District Council (SSPDC) member, Mr Ramon Yuen Hoi-man, against the SSPDC Secretariat, a spokesman of the Home Affairs Department (HAD) today (March 16) sternly clarified as follows:

It is specified in section 61 of the District Councils Ordinance (the Ordinance) (Cap. 547) that functions of a District Council (DC) are to, inter alia, advise the Government on district administration affairs and where funds are made available for the purpose, to promote community, recreational and cultural activities and environmental improvement projects, within the district. All items for discussion and papers of DC must be compatible with the DC functions specified in the Ordinance.

When handling DC affairs, District Offices will consult the relevant bureaux and departments, to examine whether an item for discussion is compatible with the DC functions specified in section 61 of the Ordinance. If an item for discussion is found not compatible with the functions specified in the Ordinance, the Government will follow up accordingly, such as writing to the DC Chairman concerned about the problem and request the Chairman to follow up etc. If the DC concerned still keeps the items for discussion that are not compatible with the Ordinance, the DC Secretariat cannot provide secretariat support for these matters, including drafting minutes and uploading the relevant audio to the DC website etc., and secretariat staff or other government officers will neither attend the relevant parts of the meeting nor join the discussion of the relevant papers. This has been the established practice all along.

At the 4th meeting on June 23, 2020 and the 5th meeting on September 8, 2020, since some items for discussion raised by Members were not compatible with the DC functions as set out in the Ordinance, the SSPDC Secretariat, following the established practice, did not provide support for those items for discussion. The then District Officer (Sham Shui Po) had written to the DC Chairman informing him of the situation before the two meetings, and reiterated the Government's stance respectively at both meetings.

Prior to the 6th SSPDC Meeting on November 10, 2020, the SSPDC Secretariat prepared the minutes of the 4th and the 5th meetings according to the established practice, and the Members did not propose any amendments to the draft minutes at the meeting.

During the aforesaid meeting, Mr Yuen proposed to include "supplementary" paragraphs in the minutes on discussions in the 4th and the 5th DC Meeting which had been found not compatible with the DC Ordinance. The then District Officer (Sham Shui Po) had already pointed out that the SSPDC

Secretariat would not provide secretariat support for items not compatible with DC functions. The SSPDC Secretariat would not take any follow up actions in relation to the concerned records, even if the "supplementary" paragraphs had been passed by the DC. Therefore, the audio of relevant discussions was not uploaded to the DC website. Such approach is consistent with our practice as mentioned above.

In accordance with the same procedures, the SSPDC Secretariat circulated the draft minutes of the 6th meeting to Members before the 7th meeting held on February 23, 2021 for consideration. Members decided at the meeting to postpone discussing the draft minutes.

At today's meeting, the SSPDC Secretariat submitted the draft minutes of the 6th meeting for Members' consideration in accordance with the established procedures. All Members (including Mr Yuen) have a right to propose amendments to the draft at the meeting. Mr Yuen did not propose any amendments.

Mr Yuen did not propose to the SSPDC Secretariat any amendments to the draft during the past three weeks. We deeply regret that he instead chose to level an unfounded allegation today.