

Appeal for information on missing man in Kwai Chung (with photo)

Police today (February 21) appealed to the public for information on a man who went missing in Kwai Chung.

Cheung Shuet-lui, aged 70, went missing after he left his residence in Cho Yiu Chuen yesterday (February 20) morning. His family made a report to Police today.

He is 1.59 metres tall, about 60 kilograms in weight and of thin build. He has a pointed face with yellow complexion and is bald. He was last seen wearing a dark blue jacket, a red striped polo shirt, dark trousers and a black cap.

Anyone who knows the whereabouts of the missing man or may have seen him is urged to contact the Regional Missing Persons Unit of New Territories South on 3661 1176 or 5683 7041 or email to rmpu-nts-2@police.gov.hk, or contact any police station.



LCQ2: Monitoring publicly-funded commercial projects

â€‹Following is a question by the Hon Paul Tse and a reply by the Secretary for Culture, Sports and Tourism, Mr Kevin Yeung, in the Legislative Council today (February 21):

Question:

There are views pointing out that the Government has repeatedly refused the monitoring of publicly-funded commercial projects by this Council on grounds of commercial secrets, and has even used such grounds to rationalise the negligence in vetting and approving such projects. Taking the exhibition match in which a famous football champion participated early this month as an example, on the grounds that sensitive commercial information was involved, the Government awarded a sponsorship of \$16 million without requesting the organiser to provide its contract with the football club concerned. Also on grounds of commercial secrets, the Government had refused to disclose the agreement between the Government and the operator of the Cruise Terminal, information such as the interest rate of the \$5.4 billion loan made to the Ocean Park Corporation under an agreement, and the details of the agreement made with The Walt Disney Company in respect of the Hong Kong Disneyland Resort. In this connection, will the Government inform this Council:

(1) whether it has reviewed if the Government's failure to request the organiser to provide its contract with the football club in respect of the aforesaid exhibition match has resulted in the Government "tying its own hands" in that it awarded a sponsorship fee of \$16 million for the "M" Mark event without fully discharging its responsibility for exercising due diligence;

(2) as there are views pointing out that the aforesaid projects involve significant public interest and a huge amount of public money, whether it has assessed if the Government's practice of refusing to disclose the relevant information is appropriate and will undermine the transparency of public expenditure and this Council's monitoring power; and

(3) whether it will, by drawing reference from the experience of the aforesaid exhibition match involving the football champion, make public as far as possible the contracts between the Government and the developers in respect of projects involving public-private-partnership or enormous public expenditure, such as the Northern Metropolis and the Kau Yi Chau Artificial Islands, or even, by making reference to the two power companies' current practice of submitting to this Council documents involving commercial confidences, allow Members of this Council to peruse such documents in confidence, so as to enhance the transparency in the use of public money and the strength of public monitoring?

Reply:

President,

The Government has always been proactively facilitating the work of the Legislative Council (LegCo) and providing sufficient information to address Members' questions. That being said, the role of the Government is not only a regulator but also a promoter and facilitator. Government officials of the Hong Kong Special Administrative Region are target-oriented and have the

will, the competence and the ability to deliver the targeted results. Hence, our work goes far beyond a regulator. When carrying out the work on culture, sports and tourism development, the Culture, Sports and Tourism Bureau (CSTB) focuses on promotion and facilitation. As far as the mega events on culture, sports and tourism fronts are concerned, we attach great importance to motivating the community during the facilitation process. Collaboration between the Government and the community including the business sector is also of paramount importance, as it will not only create synergies to enhance the effectiveness of the relevant projects, but also drive the development of related industries and even the economy. While we have to respect and balance the operating models of private entities and the operational relationships amongst themselves, we must also ensure their compliance with laws and regulations. When public money is involved, we should perform the gate-keeping duties with our best endeavour and make no compromise.

If we need to submit funding applications for certain projects to the Finance Committee (FC) of LegCo, we will follow the established procedures to set out the key features and financial arrangements of the projects, justifications for the use of public money and other relevant information to facilitate Members' consideration and approval. Depending on the circumstances and actual needs, we will also brief the respective LegCo panels as and when appropriate with a view to ensuring transparency. When commercial information is involved, the Government will have to balance various factors including policy and legal considerations, contractual obligations, as well as the public's right to know, in deciding whether and how such information should be disclosed. The Government's decisions will be guided by public interest.

In consultation with the Development Bureau and the Financial Services and the Treasury Bureau, our consolidated reply to the questions raised by the Hon Paul Tse is set out as follows:

(1) & (2) The "M" Mark System for major sports events was launched in 2004 to, through the provision of matching fund and direct grant, support the hosting of major international sports events in Hong Kong, enhance the culture of sports event sponsorship among enterprises as well as the scale and performance level of the events, thereby further promoting sports development in Hong Kong.

Regarding the football exhibition match mentioned in the question, the vetting criteria for granting the "M" Mark status include participating player line-up/team strength, financial viability, effect in driving the economy, media coverage and marketing plan, community appeal and social benefits, contribution to sports development, as well as the ability, technical expertise and administrative competence of the organiser.

Under the signed terms and conditions of the agreement, the organiser had undertaken to stage the event as stated in the proposal submitted during the application process and to submit an evaluation report as well as an audited statement of accounts to the CSTB after completion of the event. The CSTB will then conduct checks (including on-site inspection), monitor and

evaluate the event before determining the final amount of the grant, with a view to safeguarding public money. The organiser of that particular football exhibition match had withdrawn its application, and ultimately public money from the "M" Mark System for major sports events was not disbursed.

The CSTB and the Major Sports Events Committee are currently consolidating experiences gained from the case and other applications, including reviewing the approval and monitoring mechanism of the "M" Mark System, with the aim of enhancing the System and promoting the staging of more major international sports events in Hong Kong, thereby enhancing Hong Kong's position as a centre for mega international sports events.

The Kai Tak Cruise Terminal (KTCT) was constructed by way of public works under funding approved by the FC, and was leased to a private operator afterwards in 2012 vide an open tender. The operator has to operate on a commercial and self-financing basis and to pay rents to the Government. No government subsidy was given to the operator. The Tourism Commission briefed the LegCo Panel on Economic and Development the key terms of KTCT's leasing arrangements before the open tender, and subsequently provided the LegCo with information including the income source of and rental arrangements with the operator.

The Ocean Park Corporation (OPC) manages the Ocean Park based on the Ocean Park Corporation Ordinance (Cap. 388) (the Ordinance), and has been, in accordance with the Ordinance, submitting annual report to the LegCo every year, which includes detailed work report, financial statements and auditor's report of the year. As for the loan agreements between the Government and the OPC mentioned in the question, they refer to the Government loans provided to the OPC in 2006 and 2014 to support its Redevelopment Plans and the Tai Shue Wan Development Project respectively. The Government had then disclosed to the FC comprehensive information including the loans amount, related interest, date of borrowing and repayment. In 2020 and 2021, the FC's approval was secured respectively for revising the terms of the two loans, providing the OPC with the financial capacity to implement its future strategy and achieve financial sustainability.

Hong Kong Disneyland Resort (the Resort) is an important tourism infrastructure jointly invested by the Government and The Walt Disney Company (TWDC). The Resort has reported the key operating and financial results to the LegCo Panel on Economic and Development on an annual basis since fiscal year 2008. Also, when the Government submitted funding applications to the FC on development and expansion of the Resort in the past, the Government also clearly set out the investment details, including shareholding and loan arrangements agreed between the Government and TWDC.

(3) The Government has always been open and transparent regarding information on land development projects. For example, in handling in-situ land exchange applications in New Development Areas in the Northern Metropolis under the "Enhanced Conventional New Town Approach", the Government would announce information of designated sites open for application as well as application requirements and criteria, and publish the relevant information of approved

applications including site area and land premium. When the Government disposes sites through open tender, it would publish the tender documents, and information on successful tenderers and tendered amount.

Separately, in order to take forward the development of the Northern Metropolis and Kau Yi Chau Artificial Islands, the Government is examining diverse and flexible implementation approaches. However, even if in the end the Government adopts approaches other than open tender such as direct land grant, we will uphold the principles of openness and transparency by explaining the considerations behind and disclosing the specific requirements contained in the land leases and other relevant documents as well as the land premium received.

â€‹Thank you, President.

LCQ8: Reducing light pollution

Following is a question by the Hon Kwok Wai-keung and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (February 21):

Question:

To minimise light nuisance caused by external lighting, the Government launched the voluntary Charter on External Lighting (the Charter) in 2016 and implemented enhancements to the Charter on January 1, 2023, including the requirement for participants to turn off non-static lighting installations or switch them to static mode one hour earlier (i.e. advancing from 11pm to 10pm), and the introduction of a new tier under the relevant award scheme with more stringent requirements (i.e. the Diamond Award), so as to encourage participating enterprises/organisations to switch off the relevant external lighting installations earlier at 10pm. However, it has been reported that some members of the public are still exposed to strong light at home during night time from nearby external lighting installations, affecting their sleep quality and the healthy vision development of their young children. In this connection, will the Government inform this Council:

(1) in each year since the implementation of the Charter up to the end of last year, of (i) the number of participating enterprises/organisations, together with a breakdown by the sector to which they belong, and (ii) the number of participants removed from the relevant list for reneging on their pledge;

(2) of the respective numbers of complaints about light nuisance received and successfully resolved by the authorities in each year since the implementation of the Charter up to the end of last year, together with a

breakdown by District Council district; and

(3) given that while the Charter has been implemented for seven years, its effectiveness has reportedly been called into question, and it is learnt that the authorities have yet to formulate an assessment method for quantifying light pollution, whether the authorities will explore the introduction of enhancement measures, e.g. considering afresh the enactment of legislation specifically for preventing light pollution; imposing conditions on works relating to illuminating signboards for approval under the Buildings Ordinance (Cap. 123), so as to control light nuisance caused by such signboards to the public during night time; and formulating short and long term solutions to light pollution; if so, of the details; if not, the reasons for that?

Reply:

President,

To minimise light nuisance caused by external lighting, the Government launched the Charter on External Lighting (Charter) in 2016 to invite owners of and persons responsible for external lighting installations to pledge to switch off lighting installations of decorative, promotional or advertising purposes which affect the outdoor environment during present times. The Government set up the Working Group on External Lighting (Working Group) in 2018 to study the issues caused by external lighting, promote the Charter and assist the Government in reviewing the effectiveness of the Charter, as well as to advise the Government on measures to better manage external lighting.

The Working Group submitted the Report of the Working Group on External Lighting (Report) to the Government in 2021 to advise on measures to further reduce the nuisance which may be caused by external lighting. The recommendations include enhancing the Charter in respect of the requirements for operating hours of and mode of operation for external lighting installations. The Government accepted the Working Group's recommendations and introduced a new tier with more stringent requirements in terms of operating hours to the Charter, i.e. the Diamond Award, to encourage participants to switch off relevant external lighting installations at an earlier time (i.e. 10pm). As to the mode of operation, participants are required to turn off non-static lighting installations or switch them to static mode one hour earlier (i.e. advanced from 11pm to 10pm). The enhancements came into effect on January 1, 2023.

The Environment and Ecology Bureau (EEB) has all along been inviting owners of and persons responsible for external lighting installations to join the Charter and to encourage other business partners to sign up together through various trade associations and non-governmental organisations (NGOs). In addition, the EEB has published a list of participants on the Charter's website and distributed stickers and certificates to participants for display at their properties/shops to raise public awareness of the Charter and encourage the society's participation. The EEB will continue to monitor the implementation of the Charter.

Regarding the various parts of the question raised by the Hon Kwok Wai-keung, in consultation with the Development Bureau, the consolidated reply is as follows:

(1) Since the launch of the Charter in 2016, the number of Charter participants has increased from nearly 1 000 to about 5 200 at present. The participants come from different sectors including building management, property development, hotel and catering, retail, banking, telecommunication, real estate agencies, schools, public utilities, as well as public organisations and NGOs. The number of Charter participants from 2016 to 2023 and their respective sectors are at Annex 1.

Although signing up for the Charter is voluntary, our past sampling on-site compliance checks have shown that nearly 99 per cent of the participants have fulfilled their pledges to meet the switch-off requirements. Since the implementation of the Charter in 2016, only a total of around 100 participants were removed from the list of Charter participants as a result of not complying with the pledges.

(2) The Working Group pointed out in the Report that light nuisance has limited prevalence and impacts in the territory, and not all lighting installations would cause light nuisance. Whether individual locations would be affected is also subject to other factors and it is debatable to judge solely in terms of on District Council districts. The numbers of complaint cases about light nuisance received by the Environmental Protection Department (EPD) from 2016 to 2022 are at Annex 2. We are compiling the relevant figures of 2023. Among the complaint cases, around 40 per cent are related to lighting installations for safety, security and operational purposes which are outside the scope of the Charter. The remaining, around 60 per cent of the cases are related to installations for decorative, promotional and advertising purposes.

In general, upon receipt of complaints against light nuisance, the EPD will conduct on-site inspection. If the case is substantiated, the EPD staff would relay the complainants' concerns and requests to the persons responsible for the lighting installations in question. If applicable, the EPD would advise them to refer to the Guidelines on Industry Best Practices for External Lighting Installations and take appropriate measures to minimise the impact of the lighting installations on residents in the vicinity. Thereafter, the EPD will conduct follow-up inspections to confirm the effectiveness of the measures and report the progress to the complainants. Taking the situation of 2022 as an example, over 70 per cent of the persons responsible for the lighting installations took measures to reduce light nuisance upon receiving the complaints. For the remaining 30 per cent of the complaint cases, the majority of them involved external lighting installations for functional uses which cannot be switched off due to operational needs. The number of cases handled successfully from 2016 to 2022 is as follows (the relevant figure of 2023 is under compilation):

Year	2016	2017	2018	2019	2020	2021	2022
Successfully handled cases	157	215	331	286	218	227	255

(3) When formulating the way forward in managing external lighting, the Working Group has taken into consideration various factors, including the function of external lighting installations in Hong Kong and its cityscape. External lighting has a role to play in Hong Kong during nighttime and is crucial to the operation of certain trades. The Working Group has also pointed out that not all lighting installations would cause light nuisance, and that the brightest spot of most of the external lighting installations are lower than the maximum level recommended by the International Commission on Illumination. During the review, the Working Group has also assessed whether the enforcement of management measures would entail great technical difficulties. As the light nuisance experienced by a light receptor is dependent on the distance between the light source and the light receptor, and it can also come from multiple light sources at different premises at varying distances, it is rather difficult to identify the installation that causes light nuisance, or to define which mode of operation would cause light nuisance.

Moreover, the Working Group noted the improvements in light nuisance since 2018, which show that the launch of the Charter has been effective to a certain extent, while the owners/responsible persons of external lighting installations have been self-disciplined in general. Meanwhile, since the Working Group started the review in 2018, the local business environment has undergone tremendous changes. For example, the COVID-19 epidemic in the past years has led to a heavy blow to the economy. The Working Group considered it necessary to take into account the macro-economic situation and the impacts on business environment, job opportunities and the Government's overall direction in driving post-epidemic economic recovery when deciding whether to manage light nuisance by legislation. Given that the economy has not yet fully recovered, the Working Group considered that legislation might not be the best option to manage light nuisance. It would be more pragmatic to continue implementing and enhancing the current measures.

Regarding the suggestion to avoid light pollution by amending the Buildings Ordinance (BO), the BO aims to regulate the planning, design and construction of buildings and building works, and to set out the standards for its structures and fire safety, etc, to protect public safety. Issues relating to light pollution that may be caused by advertising screens, signboards and advertisement light boxes are outside the ambit of the BO.

With the continuous implementation and promotion of the enhanced Charter, in addition to proactive handling of light nuisance complaints by the EPD, the complaint figures have been on a downward trend since 2018. Meanwhile, the number of Charter participants has been growing since its implementation in 2016. The Government will continue to implement the above measures for reducing light nuisance caused by external lighting while

keeping in view the implementation of the Charter.

[LCQ16: Reunification gifts presented by motherland to Hong Kong Special Administrative Region](#)

Following is a question by the Hon Judy Chan and a written reply by the Chief Secretary for Administration, Mr Chan Kwok-ki, in the Legislative Council today (February 21):

Question:

When Hong Kong returned to the motherland in 1997, the Central People's Government and the nation's 31 provinces, autonomous regions and municipalities directly under the Central Government presented gifts to the Hong Kong Special Administrative Region (SAR) to celebrate SAR's establishment. At that time, the SAR Government indicated that the gifts would be housed in a museum in the future. However, the SAR Government changed the arrangement one year later, with the various gifts separately housed in the Hong Kong Convention and Exhibition Centre, various museums and government buildings, etc. Some members of the public have relayed that as the locations for housing some of the gifts are not commensurate with the value of the gifts, and the SAR Government has not provided text introductions next to the gifts, the public has no way at all to know the historical backgrounds of the gifts, and there is a lack of respect. In this connection, will the Government inform this Council:

- (1) of the current locations for housing the various gifts, the respective numbers of gifts housed in the various locations, and the criteria for determining the locations for housing the gifts;
- (2) of the reasons for not housing all the gifts in a museum as indicated in 1997;
- (3) of the number of exhibitions organised by the authorities to display the reunification gifts since Hong Kong's return to the motherland, and the number of reunification gifts displayed in each of such exhibitions; and
- (4) given that the Government is committed to promoting Hong Kong as an East-meets-West centre for international cultural exchange, and is reviewing the future development plan for museums, whether the Government has plans to gather up the various reunification gifts afresh, and set up a brand new permanent exhibition in a museum for displaying the gifts, so that members of the public can appreciate in one go these modern Chinese art treasures of

superb craftsmanship, and feel the great affection and profound generosity of the Central People's Government as well as the various provinces, autonomous regions and municipalities directly under the Central Government; if so, of the details; if not, the reasons for that?

Reply:

President,

(1) and (2) The Central People's Government and the nation's 31 provinces, autonomous regions and municipalities under the Central Government presented a total of 33 reunification gifts to the Hong Kong Special Administrative Region Government in 1997. On June 12, 1998, the Government announced the arrangements for display of reunification gifts. As pointed out in the press release issued at that time (www.info.gov.hk/gia/general/199806/12/0612135.htm), in considering the display arrangements of these unique gifts, the Government has taken into account factors such as security, public exposure and proposed venue's size and floor loading, etc. These gifts are currently placed at various locations including the Hong Kong Convention and Exhibition Centre, the Hong Kong Heritage Museum, the Hong Kong Central Library, the Hong Kong Cultural Centre and a number of Government Offices as well as Departments' Headquarters, etc. The information and locations of these gifts are shown in the Appendix for reference.

(3) and (4) The Government displayed 31 reunification gifts at the Hong Kong Convention and Exhibition Centre from July 3 to 4, 1997, and exhibited 16 reunification gifts at the Sha Tin Town Hall from June 13 to July 15, 1998. The Hong Kong Heritage Museum also organised an exhibition to display some reunification gifts from June 20, 2012, to February 25, 2013. The gifts are currently placed at different locations in the territory and most of them are openly displayed to facilitate public viewing. The Government will continue to display the reunification gifts to the public in suitable ways.

LCQ20: Major sports events awarded "M" Mark status

Following is a question by the Hon Dominic Lee and a written reply by the Secretary for Culture, Sports and Tourism, Mr Kevin Yeung, in the Legislative Council today (February 21):

Question:

The exhibition match between the Hong Kong Team and Inter Miami CF held on the 4th of this month has been awarded the "M" Mark status and funding

support by the Government. Under the terms of the relevant funding agreement, the Government has required that a player from the Inter Miami CF, who is known as "the king of football in the world", must play at least 45 minutes in the match, subject to safety or fitness considerations. In addition, it is learnt that the organiser concerned had all along marketed the king of football's participation in the match in its publicity. Nevertheless, the king of football ended up sitting out the match without taking part. Upon learning that the king of football could not play in the match, the Government had requested the organiser to invite him to address the football fans or receive the trophy on behalf of his team after the match, but to no avail. It has been reported that a large number of local fans and fans from around the world have explicitly criticised the match for failing to correspond with the description and leaving them dissatisfied, which has a direct impact on the image of Hong Kong's tourism industry. In this connection, will the Government inform this Council:

(1) as there are views pointing out that the large number of complaints, many of which from inbound visitors, received by the Customs and Excise Department and the Consumer Council about the aforesaid match failing to correspond with the description have clearly demonstrated that the incident concerned has an impact on the image of Hong Kong, whether the authorities will take legal actions to hold the organiser concerned responsible;

(2) as there are views that the exorbitant ticket prices of the aforesaid major sports event have enabled the participating organisations and the organiser to obtain substantial proceeds before the event, whether the Government will, in the future, require organisers of events held by the business sector which have applied for the "M" Mark funding to provide a certain percentage of the ticket proceeds as guarantee money to the Government or to secure bank guarantee for such events, so as to ensure that the organisers and event participants are fully committed to the staging of major sports events; and

(3) as the Government has indicated that it will critically review the "M" Mark System, of the expected completion time of the relevant work, and whether it will introduce a penalty system?

Reply:

President,

It is the Government's policy to promote the development of sports through a five-pronged approach, namely, by promoting sports in the community, supporting elite sports, promoting Hong Kong as a centre for major international sports events, enhancing professionalism and developing sports as an industry. In respect of promoting Hong Kong as a centre for major international sports events, the Government introduced the "M" Mark System in 2004 to support the hosting of major sports events in Hong Kong through matching funds (i.e. a dollar-to-dollar matching grant provided for the event organiser in accordance with the cash sponsorship solicited from the commercial or private sectors) and direct grants. In addition to providing

the public with the opportunity to enjoy top-level performance sports, stimulating sports atmosphere in community and promoting the overall development of sports, the "M" Mark System also attracts tourists to visit Hong Kong and enhance Hong Kong's status as a centre for major international events.

My reply to the question raised by the Hon Dominic Lee is as follows:

(1) The TATLER XFEST Hong Kong: Hong Kong Team vs Inter Miami CF (the exhibition match), organised by Tatler Asia Limited (the organiser), was held at the Hong Kong Stadium on February 3 and 4 this year. The event was once awarded "M" Mark status with a matching grant of \$15 million and a venue hiring grant for venue subsidy of \$1 million by the Major Sports Events Committee (MSEC). It was expected that the match would offer football fans a wonderful game and an opportunity to witness the world-class player showcasing his skills.

The Government, like all football fans, was extremely disappointed that player Lionel Messi could not play in the match on February 4. In addition, a detailed account and explanation was not provided promptly. Later, we had been urging the organiser to explain in detail its arrangement with Inter Miami CF concerning Messi's participation in the match in Hong Kong, and to respond positively to the demands of different sectors of the community. In addition, we had been continuously discussing with the organiser to identify the viable options for handling the matter. The Consumer Council was subsequently engaged in the discussion as well.

On February 5, the organiser announced that it would withdraw its application for "M" Mark status and give up the \$16 million sponsorship. On February 9, it further announced that it would arrange a refund of 50 per cent of the ticket price to local fans and those from outside Hong Kong who purchased tickets for the match through the organiser's official sales channels. The Government welcomes the decision and considers that the compensation option is a responsible act by the organiser, which demonstrates its positive manner and sense of commitment. The accounts of the match were made publicly available by the organiser, demonstrating that it has made all efforts with sincerity to arrange the 50 per cent refund to respond to the demands of different sectors of the community.

(2) and (3) The Government and the MSEC will jointly conduct a comprehensive review on the vetting and monitoring mechanism of the "M" Mark System so as to facilitate the staging of more major international sports events in Hong Kong while further enhancing the System. The review is expected to be completed in around the third quarter of this year.