

LCQ4: Management of the Hong Kong Girl Guides Association

Following is a question by the Hon Leung Kwok-hung and a reply by the Secretary for Home Affairs, Mr Tsang Tak-sing, in the Legislative Council today (November 10):

Question:

I have received complaints that the appointment of the incumbent Chief Commissioner (CC) of the Hong Kong Girl Guides Association (the Association) is not in compliance with the age limit of the Association, but she could still be appointed by the wife of the Chief Executive in her capacity as the President of the Association. The complaints also allege that after voting against the proposal to confirm the CC election in 2007 at its extraordinary general meeting on October 13 this year, the International Commissioner and the Assistant Chief Commissioner (New Territories Operation) have been subjected to reprisal by the incumbent CC and their service will cease in December this year. There are also complaints that the Association pointed out mistakenly through the media on September 15 this year that the percentage of raffle refund to its units had never been in the region of 50%, and it also issued an open letter to all Unit Guiders and parents in Hong Kong as an attempt to cover up and deny "fattening the top and thinning the bottom" and cut the raffle refund, resulting in insufficient funding for its units. In this connection, will the Government inform this Council:

(a) given that it is stipulated in the provisions of the "Constitution" or "Policy, Organization and Rules" of the Association that CC should not be above the age of 65, whether it knows why the incumbent CC could stand in the election and be elected and appointed in 2007 even though she had exceeded the age limit; given that the "Constitution" of the Association was formulated in accordance with the law, whether it has assessed if the Association's continuous appointment of the overage CC constitutes a blatant challenge to and violation of the laws of Hong Kong; whether the Association will terminate the appointment of the CC immediately and make a public apology; and whether the Secretary for Home Affairs will follow up the aforesaid incident of reprisal and step down for having failed to monitor the Association all along;

(b) whether it knows if the Association will make a public apology for pointing out mistakenly that the percentage of raffle refund to its units had never been in the region

of 50%, and revert the percentage of raffle refund to 50% immediately; if it will increase the percentage of refund, when it will do so; if not, the reasons for that; and

(c) given that there have been complaints that the Association has all along internally predetermined some celebrities and rich people and even people who will not participate in the patrol assemblies or training each week as CC or Deputy Chief Commissioners (DCCs), whether the Association will promote those DCCs who are from the grassroots and participate in the weekly assemblies and possess training experience as CC?

Reply:

President,

The Hong Kong Girl Guides Association (the Association) is incorporated under the Hong Kong Girl Guides Association Ordinance (Cap. 1020). The Association is an independent statutory non-governmental organisation. According to its Constitution, the Association shall be a "non-political, self-governing body". The Hong Kong SAR Government respects the independence of the Association. The Home Affairs Bureau provides funding for the youth development activities of the Association. My reply to the three parts of Hon Leung Kwok-hung's question is as follows:

(a) The Hong Kong Girl Guides Association Ordinance and the Constitution of the Association have not provided for the age of the Hong Kong Chief Commissioner (CC). However, it is mentioned in the Association's Policy, Organisation and Rules (collectively referred to as "internal rules") that the CC should be aged between 21 and 65. It is understood that the Association has become the subject of High Court civil proceedings instituted by two members of the public concerning the issue of age limit and the validity of the appointment of the CC. The relevant proceedings are now in progress. Separately, it is understood that the Association passed a resolution at an Extraordinary General Meeting on October 13, 2010 to confirm the election and appointment of its CC in 2007 as well as all actions taken by her during her term of office.

The terms of office of its International Commissioner and Assistant Chief Commissioner (New Territories Operation) are both fixed-term positions. They will end in November this year when an Annual General Meeting (AGM) will be held. On

October 27, 2010, the Executive Committee comprising of 20 members had, in accordance with the Constitution, passed the nomination of new appointees upon consultation. The nominations will be submitted at the AGM for approval, and appointment will be made by the President. According to the Constitution of the Association, the appointment of the Association's officers is purely an internal matter of the Association. The Home Affairs Bureau respects the independence and autonomy in internal governance of the Association, thus the question of lack of monitoring the Association is invalid.

(b) The sale of raffles tickets is the Association's internal management issue. The Association stated in its press release on September 14, 2010 that "the sale of raffles tickets had been conducted for more than 20 years and the percentage of refund to its units had never been in the region of 50%". We have sought information from the Association about the raffle refunds and that has been relayed in our reply to Hon Leung Kwok-hung's written question last week. According to the information provided by the Association, the percentage of refund of raffles tickets sale in recent years were lower than 50%. Each raffle ticket was sold at \$2 before 1992, and it was only from the sale of the 1,001st ticket onwards that \$1 was refunded to the units per ticket. The refund was less than \$1 when the sale was below 1,000. Hence, the average percentage of refund did not exceed 50% at that time.

(c) According to the Constitution of the Association, the CC is elected by the Council by secret ballot and returned by a majority of votes. Some 80 ex-officio members of the Council, (i.e. Chief Commissioner, Deputy Chief Commissioners, Assistant Chief Commissioners, International Commissioner, Division Commissioners, Assistant Division Commissioners and District Commissioners), have the right to nominate candidates. Both Frontline Unit Guiders who are responsible for patrol assemblies and direct training to Girl Guides, and leaders who are tasked with planning and guidance work may be nominated as candidates for the post.

Thank you, President.

Ends/Wednesday, November 10, 2010

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