

(English translation prepared by
the Legislative Council Secretariat
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(Letterhead of the Office of the Hon Emily LAU)

To : Hon Andrew WONG
Chairman of the LegCo Panel on Constitutional Affairs

From: Emily LAU

**Proposed scope of public consultation on the system
of accountability for principal officials**

1. Given that the Chief Executive (CE) is not returned by direct election, what are the merits and demerits of implementing a system of accountability for politically appointed principal officials?
2. Should the system of accountability for principal officials to be implemented under the leadership of a CE who is not directly elected differ from that under the leadership of a directly elected CE?
3. Is it desirable to retain the existing civil service system on the one hand and introduce a system of public accountability on the other hand? How can this be put into practice?
4. If a "ministerial system" is to be implemented, what arrangements should be made for incumbent officials at the ranks of Secretaries and Directors? If incumbent Secretaries and Directors are not appointed as "ministers", should they be appointed as Deputy Secretaries and Deputy Directors? What should be their specific terms of appointment? How should they be compensated upon termination of their appointments? What should be the relationship between "ministers" and civil servants?
5. How can the fundamental principle of public accountability be realized through the appointment and removal of "ministers" in charge of bureaux and departments? Should the appointment and removal of "ministers" be a matter solely decided by the CE? What role should the Legislative Council play in the process?
6. How should the specific terms of appointment of "ministers" be drawn up? Should a contract system of appointment be introduced?

7. If people from the business community are appointed as “ministers”, how can potential conflict of interests be avoided?
8. How can the independence of regulatory bodies such as the Securities and Futures Commission and the Hong Kong Monetary Authority be guaranteed so that they will be free from political intervention?
9. How can the editorial autonomy of the Radio Television Hong Kong be ensured so that it will be free from intervention?
10. What mistakes committed by politically appointed “ministers” should warrant them being penalized or even dismissed?