

**Replies to written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2002-03**

**Bureau Secretary : Commissioner, ICAC
Session No. : 14 File name : ICAC-e1.doc**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
<u>ICAC001</u>	0017	HO Sau-lan, Cyd	72	(1) Corruption Prevention (2) Operations (3) Preventive Education (4) Enlisting Support
<u>ICAC002</u>	0560	LAU Wai-hing, Emily	72	(2) Operations
<u>ICAC003</u>	0561	LAU Wai-hing, Emily	72	(2) Operations
<u>ICAC004</u>	1258	HO Sau-lan, Cyd	72	(2) Operations

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

ICAC 003

Question Serial No.

0561

Head: 72 – Independent Commission Against Corruption Subhead (No. & title): –

Programme: (2) Operations

Controlling Officer: Commissioner, Independent Commission Against Corruption

Bureau Secretary: Commissioner, Independent Commission Against Corruption

Question : When will the study on the desirability of proscribing by statute the offence of misuse of public office be completed?

Asked by: Hon. LAU Wai-hing, Emily

Reply: The ICAC has undertaken a comprehensive research into the desirability of codifying the common law offence of misconduct in public office. The research, which included examination of legislation of over 20 jurisdictions having similar offence on statute, was completed in June 2001 and a detailed report recommending codification was forwarded to the Administration after it was endorsed by the Operations Review Committee and the Advisory Committee on Corruption. An inter-departmental working group comprising representatives of the Administration Wing, Civil Service Bureau, Department of Justice and the ICAC is examining the ICAC proposal.

Signature : _____

Name in block letters : Alan N LAI

Post title : Commissioner, ICAC

Date : 21 March 2002

Examination of Estimates of Expenditure 2002-03
**CONTROLLING OFFICER'S REPLY TO
 WRITTEN/SUPPLEMENTARY QUESTION**

Reply Serial No.

ICAC 004

Question Serial No.

1253

Head: 72 – Independent Commission Against Corruption Subhead (No. & title) : 204 Investigation Expenses

Programme: (2) Operations

Controlling Officer: Commissioner, Independent Commission Against Corruption

Bureau Secretary: Commissioner, Independent Commission Against Corruption

Question : Please provide the details of provision under Subhead 204: Investigation Expenses for 2000–01 and 2001–02 in the following format–

Case Description	Reasons for incurring expenses	Expenses involved

Asked by: Hon. HO Sau-lan, Cyd

Reply: Subhead 204 “Investigation Expenses” is an essential source of investigation funding for the purpose of evidence gathering and procurement of other support services required for both overt and covert cases. The relevant records contain operational information of a confidential nature. It is therefore inappropriate to provide a breakdown of the expenses in the format requested.

The provision under Subhead 204 is mainly for overseas investigation expenses; charges levied by bodies such as banks, clearing houses, share registrars and similar government and non-government bodies for information; documents and services supplied to the ICAC in connection with investigations and enquiries; fees for professional services (e.g. accountancy and surveying services); and other minor expenses incurred during investigations. The expenditures for the past two years are as follows –

	<u>2000-01</u> <u>Actual Expenditure</u> (\$)	<u>2001-02</u> <u>Projected Expenditure</u> (\$)
Overseas Enquiries	762,392	719,000
Charges levied for the supply of information / document	1,198,535	2,901,000
Professional services	5,977,882	3,615,000
Others	<u>598,869</u>	<u>600,000</u>
Total :	<u>8,537,678</u>	<u>7,835,000</u>

Signature : _____

Name in block letters : Alan N LAI

Post title : Commissioner, ICAC

Date : 21 March 2002