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Paper for the House Committee Meeting on 14 June 2002

**Final Report of the Subcommittee to Study the Proposed
Accountability System for Principal Officials and Related Issues**

PURPOSE

The Subcommittee to Study the Proposed Accountability System for Principal Officials and Related Issues submitted an interim report and another report to the House Committee on 24 May 2002 and 7 June 2002 respectively.

2. Pursuant to the decision of the House Committee on 7 June 2002, the Subcommittee held another meeting on 11 June 2002 to discuss the proposed resolutions on transfer of statutory functions to be moved by the Secretary for Constitutional Affairs, Dr Hon YEUNG Sum and Hon CHEUNG Man-kwong under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) at the Council meeting on 19 June 2002.

3. This paper reports on the deliberations of the Subcommittee at the meeting on 11 June 2002.

MEETINGS OF THE SUBCOMMITTEE

4. Under the chairmanship of Hon IP Kwok-him, the Subcommittee has held a total of 15 meetings, or 27 two-hour sessions to discuss the proposed accountability system for principal officials and related issues.

DELIBERATIONS OF THE SUBCOMMITTEE

Powers and duties delegated by the Chief Executive (CE) to existing bureau secretaries

5. In response to Hon Emily LAU's query on how the transfer of powers and duties delegated by CE would be effected after the reorganisation, the Administration has explained that pursuant to section 63 of Cap. 1, CE has delegated certain powers conferred on, or duties imposed upon, him to the existing bureau secretaries. The powers and duties so delegated include, for example, power to appoint members of certain advisory committees or appeal

boards; power to determine the rate of remuneration for members of advisory boards and committees; power to receive information from certain bodies and organisations; and power to approve the tabling of annual report and financial statements submitted by certain bodies at the Legislative Council (LegCo). Following the reorganisation of bureaux, such powers and duties will be delegated to the bureau secretaries responsible for the relevant reorganised bureaux. The Administration will take necessary administrative measures to ensure that these delegations will continue to have effect after 1 July 2002.

6. Hon Emily LAU has asked whether such delegations would be promulgated for information of the public. The Administration has explained that it is a practice for such delegations to be effected administratively and there is no requirement for gazettal. Nevertheless, the Administration is prepared to provide the relevant information for members' inspection.

Proposed resolution under section 54A of Cap. 1 to be moved by the Administration

Paragraph 4 and Schedule 4 - Transfer of statutory functions from Secretary for Education and Manpower to Secretary for Economic Development and Labour (SEDL)

7. Referring to the Administration's proposal of putting the Labour portfolio under the same bureau secretary responsible for the Economic Development portfolio, Hon Albert HO has expressed concern whether efforts to promote safety and health at work as well as employees' rights and benefits would be compromised to make way for a more business-friendly environment. He has asked whether any items of subsidiary legislation to be made by the Commissioner for Labour (C for L) would require policy support from the bureau. Given that the interests of SEDL and those of C for L may conflict in labour issues, he has also expressed concern that C for L would be subject to pressure if his views differ from those of SEDL, and he may be given an adverse appraisal report or be transferred to another post.

8. The Administration has explained that any items of subsidiary legislation proposed by the Labour Department would be considered by the bureau and the relevant advisory committees, and also subject to scrutiny and approval by LegCo. It is not possible for SEDL to do whatever he pleases, given the existence of such a check and balance system.

Paragraph 5 and Schedule 5 - Transfer of statutory functions from Secretary for the Environment and Food to Secretary for the Environment, Transport and Works (SETW)

9. Hon Margaret NG and Hon Audrey EU have pointed out that SETW has role conflicts in overseeing the Environment portfolio on the one hand, and the

Transport and Works portfolios on the other. The two members are concerned whether the Director of Environmental Protection (DEP) working under SETW can make decisions independently without being influenced or even overturned by SETW. They have pointed out that, for instance, under sections 14 and 24 of the Environmental Impact Assessment Ordinance (Cap. 499), DEP needs the consent of the bureau secretary to suspend, vary or cancel an environmental permit, or issue an order to require a project to cease work. They have also pointed out that SETW can even give directions to DEP regarding the scope of the Environmental Impact Assessment (EIA) study of a certain road or works project, and the outcome of the EIA study may be affected as a result.

10. The Administration has advised that Cap. 499 binds the Government and is therefore applicable to government projects. Under section 14 of Cap. 499, the bureau secretary may give consent to suspend, vary or cancel an environmental permit under very specific situations i.e. if DEP is satisfied that the applicant gave misleading information, wrong information, incomplete information, false information, or the applicant is no longer able to comply with the conditions of the environmental permit.

11. As regards section 24 of Cap. 499, DEP may, with the consent of the bureau secretary, issue an order requiring persons working on a designated project to cease working on the project until the order is withdrawn, when the following conditions are met -

- (a) if an environmental permit has not been issued for the project being undertaken;
- (b) if an environmental permit has been withdrawn from the project being undertaken; or
- (c) if there has been a breach of the conditions of an environmental permit.

12. The Administration stressed that in both scenarios, the decision of DEP is confined to specified circumstances. The role of SETW is very limited and he cannot disagree with the decision of DEP for reasons which are irrelevant. In addition, an order to amend Schedule 2 to Cap. 499 relating to "Designated Projects Requiring Environmental Permits" is subsidiary legislation subject to negative vetting by LegCo.

13. The Administration has explained that under Cap. 499, a person who is planning a designated project has to apply for an EIA study brief to proceed with an EIA study for the project, or for approval to apply directly for an environmental permit. The applicant has to advertise the availability of the project profile in newspapers. The Advisory Council on the Environment and any person may comment on a project profile. The applicant shall prepare an EIA report in accordance with the study brief. The availability of the EIA

report is required to be advertised in newspapers. The Advisory Council on the Environment may give any comments it has on the EIA report. If the EIA report is approved by DEP, the person can then apply for an environmental permit. Given the high transparency of the mechanism for environmental impact assessment, the Administration assures members that the work of the Environmental Protection Department is under public scrutiny.

14. In response to comments made by some members on the desirability for the same bureau secretary to oversee "conflicting" policy areas, Hon IP Kwok-him, Chairman of the Subcommittee, has pointed out that the policy aspect of the proposed resolution has been discussed in detail by the Subcommittee at previous meetings, and that members have different views on the Administration's reorganisation proposals.

15. Some members have expressed concern that if the new SETW is appointed in place of the Secretary for Transport as a director on the Board of Directors of the Kowloon-Canton Railway Corporation, there would be role conflicts where environmental issues are concerned. The Administration has advised that if a bureau secretary is appointed as a member of the board of directors of a statutory body, he has to act in accordance with the common law and, among other things, should consider the interests of the body. A decision taken by the board is a decision taken collectively by members of the board. If there appears to be conflict of interest between the bureau secretary's official duties and his public office as a member of the board, he should seek legal advice on how best to avoid any such conflict. For example, he may refrain from participating in the discussion of, or making a decision on, the matter in question.

Paragraph 9 and Schedule 9 - Transfer of statutory functions from Secretary for the Treasury (S for Tsy) to Secretary for Financial Services and the Treasury (S for FS & Tsy)

16. Hon Margaret NG points out that the term "Financial Secretary"(FS) is defined in section 3 of Cap. 1 as FS and S for Tsy. With the change of the reference to S for Tsy in this definition to S for FS & Tsy, the functions exercisable by FS in various ordinances would also be exercisable by S for FS & Tsy. Unlike S for Tsy who is accountable to FS, both FS and S for FS & Tsy are principal officials under the accountability system. She has requested the Administration to provide a paper to clearly set out the respective statutory functions exercisable by FS and S for FS & Tsy.

17. The Administration has explained that with the reference of S for Tsy amended to S for FS & Tsy, the arrangement for S for FS & Tsy to exercise the statutory functions of FS will be exactly the same as that for the existing S for Tsy exercising the statutory functions of FS. The Administration has reiterated that the purpose of the proposed resolution under section 54A of Cap.1 is to transfer the respective statutory functions to the new bureau

secretaries. There is no question of the resolution introducing any substantive changes to these statutory functions.

18. The Legal Adviser has pointed out that the existing statutory functions of S for Tsy do not cover matters such as securities and trading in futures contracts as well as monetary affairs which fall within the policy purview of the Secretary for Financial Services under the present government structure. However, these statutory functions will be exercised by the new S for FS & Tsy, and therefore the respective policy portfolios of the existing S for Tsy and S for FS & Tsy are not the same.

19. The Legal Adviser has also informed members that there are 737 references to FS in the Laws of Hong Kong, although some may not be related to his statutory functions.

20. The Administration has explained that the proposed resolution under section 54A of Cap.1 does not cover the Chief Secretary for Administration (CS) and FS, and they will continue to exercise the statutory powers vested in them. The Administration has undertaken to review the statutory functions currently vested in CS and FS to see if any such functions should be transferred to the relevant bureau secretaries or delegated to them, when the principal officials under the accountability system have settled in their respective positions. The review will include an examination of the definition of FS in section 3 of Cap. 1.

Process of scrutiny

21. The Chairman has pointed out that the policy aspect of the resolution to be moved by the Administration has been discussed in detail by the Subcommittee, but members have not reached any consensus view. As regards the legal and drafting aspects, the Legal Service Division has studied the resolution and has submitted a report to the House Committee meeting confirming that these aspects of the proposed resolution are in order.

22. Hon Margaret NG considers that it is necessary to study the resolution, clause by clause, to clarify and examine what statutory functions will be transferred to the principal officials, whether the terms used in the resolution and the proposed transfer of statutory functions would give rise to any inconsistencies or discrepancies from the policy point of view or operational difficulties, what administrative powers will be exercised by the principal officials, whether the exercise of the statutory functions are subject to any constraints, and how the statutory functions not subject to transfer in the proposed resolution will be dealt with. Miss NG is of the view that it is not possible for the Subcommittee to do so as the Administration is not cooperative in providing the necessary information and arranging the incumbent bureau secretaries and other public officers concerned to attend the relevant meetings

of the Subcommittee to answer members' questions. Miss NG also considers that it is unfair to the Legal Adviser and his Division by placing on them the responsibility of providing a guarantee that the drafting and legal aspects of the resolution are in order.

23. Miss NG has pointed out that as the Administration has insisted that it will move the proposed resolution at the Council meeting on 19 June 2002, even if the Subcommittee is to meet every day in the coming few days, it will not be possible for members to complete scrutiny of the proposed resolution before the debate. Miss NG wishes to state for the record that she does not consider that the Subcommittee has studied the resolution. She will not request the Subcommittee to meet again, as it is meaningless to hold any further meeting.

24. Hon CHEUNG Man-kwong also wishes to state for the record that Members belonging to the Democratic Party share Hon Margaret NG's views. Mr CHEUNG has pointed out that documents relating to the resolution have only been provided by the Administration when the Subcommittee is already in its middle and late stage of its deliberations.

25. Hon Emily LAU has expressed concern that members have little time to study the proposed resolution, and there may be problems with it that members may not be aware of. Ms LAU has pointed out under normal situations, it would take one to two years to scrutinise a legislative proposal of such a wide scope and to consider such a large amount of related documents. She has also pointed out that even at such a late stage, the Administration is still providing replacement sheets to documents relating to the resolution issued to members earlier. If LegCo is to bear responsibility for any mistakes, those Members who vote to support the Administration's resolution should be held accountable. Ms LAU has also asked when the organisation chart of the new government structure, which the Subcommittee has asked for some time ago, will be available for members' reference.

26. The Administration has responded that it has provided the supplementary papers explaining the provisions of the draft resolution and the legal effect of individual paragraphs and the Schedules in the resolution to members in early May. The replacement sheets to the supplementary papers have been prepared as the Legal Adviser has earlier pointed out that there are omissions and inaccuracies in some of the pages of the original papers. As regards the organisation chart, Administration has undertaken to provide it to the Subcommittee by 13 June 2002.

27. The Administration has also pointed out that at the first meeting of the Subcommittee on 24 April 2002, the Administration suggested that the policy issues and the draft resolution be discussed in parallel at separate meetings. However, members had decided to proceed with the deliberations according to the order of the list of topics drawn up by the Subcommittee.

Proposed resolutions to be moved by Hon YEUNG Sum and Hon CHEUNG Man-kwong under section 54A of Cap. 1

28. The Subcommittee notes that Hon CHEUNG Man-kwong will move a motion to transfer the statutory functions of the Secretary for the Civil Service to CS. Dr Hon YEUNG Sum will also move a motion to transfer the statutory functions of the Secretary for Constitutional Affairs to CS. Both members have provided a paper to explain their respective proposals.

29. In response to Hon Howard YOUNG, Dr Hon YEUNG Sum has advised that all the statutory functions of the Secretary for Constitutional Affairs are proposed to be transferred to CS. If his proposed resolution is passed, the Constitutional Affairs Bureau will no longer exist.

30. Hon CHEUNG Man-kwong has informed the Subcommittee that Hon Fred LI Wah-ming, Hon SIN Chung-kai, Hon CHENG Kar-foo, Hon Albert HO, and Hon LAW Chi-kwong have also given notice to move amendments to the proposed resolution to be moved by the Administration. More information on the amendments will be provided to Members after the President has given her ruling on the proposed amendments.

RELEVANT PAPERS

31. A list of all relevant papers of the Subcommittee (as at 13 June 2002) is in the **Appendix**. Members are invited to note that these papers are available on the LegCo website at http://www.legco.gov.hk/yr01-02/english/hc/sub_com/hs51/papers/hs51_ppr.htm.

ADVICE SOUGHT

32. Members are invited to note the deliberations of the Subcommittee.

**Subcommittee to Study the Proposed
Accountability System for Principal Officials and Related Issues**

List of relevant papers issued

(as at 13 June 2002)

A. LegCo Paper on System of Accountability for Principal Officials provided by Constitutional Affairs Bureau to Members at the Council meeting on 17 April 2002

B. Papers issued in respect of specific areas for study by the Subcommittee

I. General issues

- LC Paper No. CB(2)1679/01-02(01) -- Administration's paper on whether
(issued on 23 April 2002) introducing a new system of appointment for principal officials on terms different from those in the civil service would contravene the Basic Law
- LC Paper No. CB(2)1735/01-02(01) -- Administration's paper on
(issued on 26 April 2002) "Constitutionality of the Accountability System"
- LC Paper No. CB(2)1787/01-02 -- Websites of court judgments of the four
(issued on 2 May 2002) cases quoted in LC Paper No. CB(2)1735/01-02(01)
- LC Paper Nos. CB(2)1803/01-02 -- Information notes prepared by Legal
(01) - (04) (issued on 2 May 2002) Service Division on the judgments of the
(Chinese version issued vide LC four cases quoted in LC Paper No.
Paper No. CB(2)2053/01-02 on CB(2)1735/01-02(01)
24 May 2002)
- LC Paper No. CB(2)1809/01-02(01) -- Administration's paper on relationship
(issued on 2 May 2002) between Chief Executive/principal officials/Permanent Secretaries/LegCo, powers and functions of Chief Executive and relationship between Central People's Government and principal officials
- LC Paper No. CB(2)1822/01-02(01) -- Administration's paper on "Resolution
(issued on 6 May 2002) under Section 54A of Cap. 1"
- LC Paper No. CB(2)2000/01-02(01) -- Administration's paper on "The Decision
(issued on 18 May 2002) Relating to the Accountability System"

II. Principal officials under the proposed system

- LC Paper Nos. CB(2)1678/01-02 (01) - (03) (issued on 23 April 2002) -- Bar Association's submission and the Administration's two papers provided to the meetings of the Panel on Constitutional Affairs on 17 December 2001 and 21 January 2002 concerning the proposal to include the Secretary for Justice in the proposed system
- LC Paper No. CB(2)1734/01-02(01) (issued on 26 April 2002) -- Existing role of the Secretary for Justice
- LC Paper No. CB(2)1734/01-02(02) (issued on 26 April 2002) -- Existing schedule of responsibilities of the Secretary for the Civil Service
- LC Paper No. CB(2)1734/01-02(03) (issued on 26 April 2002) -- Existing role and span of control of the Chief Secretary for Administration
- LC Paper No. CB(2)1734/01-02(04) (issued on 26 April 2002) -- Existing role and span of control of the Financial Secretary
- LC Paper Nos. CB(2)1734/01-02 (05) and (06) (issued on 26 April 2002) -- Existing role and membership of the Executive Council
- LC Paper Nos. CB(2)1874/01-02 (01) and (02) (issued on 9 May 2002) -- Relevant extracts of the meetings of the Panel on Constitutional Affairs on 17 December 2001 and 21 January 2002 when the proposal to include the Secretary for Justice in the proposed system was discussed
- LC Paper No. CB(2)2075/01-02(01) (issued on 27 May 2002) -- Administration's paper on "Arrangements during Principal Officials' Temporary Absence"

III. The function, composition and operation of the Executive Council

- LC Paper No. CB(2)1809/01-02(02) (issued on 2 May 2002) -- Administration's paper on "Executive Council"

- LC Paper No. CB(2)1822/01-02(02) -- Administration's paper on "References to
(issued on 6 May 2002) the Chief Executive in Council in the Laws of Hong Kong"
- LC Paper No. CB(2)1911/01-02(01) -- Administration's paper on "References to
(issued on 13 May 2002) the Chief Executive in Council in the Laws of Hong Kong"
- LC Paper No. CB(2)1911/01-02(02) -- Administration's paper on "Appeals to the
(issued on 13 May 2002) Chief Executive in Council"

IV. Splitting, merging and retention of Bureaux

- LC Paper No. CB(2)1870/01-02(01) -- Administration's paper on "Portfolios of
(issued on 9 May 2002) Directors of Bureau under the Accountability System"

V. Civil service under the proposed system

- LC Paper No. CB(2)1809/01-02(03) -- Administration's paper on "Civil Servants"
(issued on 2 May 2002) and "Public Servants"
- IN23/01-02 issued under LC Paper -- Information Note on "The Civil Service
No. CB(2)1810/01-02 on 3 May 2002 Code of the United Kingdom" prepared by Research and Library Services Division
- IN25/01-02 issued under LC Paper -- Information Note on "Some Civil Service
No. CB(2)1810/01-02 on 3 May 2002 Management Issues in the United Kingdom" prepared by Research and Library Services Division
- LC Paper No. CB(2)1822/01-02(03) -- Information note prepared by the LegCo
(issued on 6 May 2002) Secretariat on the McKinsey Report
- LC Paper No. CB(2)1822/01-02(04) -- Administration's paper on "Preserving the
(issued on 6 May 2002) Integrity and Probity of the Civil Service"
- LC Paper No. CB(2)2101/01-02(01) -- Administration's paper on "Circular setting
(issued on 29 May 2002) out the Working Relationship between Civil Servants and Principal Officials"

LC Paper No. CB(2)2147/01-02(01) -- Administration's paper on "Number of
(issued on 31 May 2002) Permanent Secretaries under each Director
of Bureau"

VI. Chief Executive's Office

LC Paper No. CB(2)1871/01-02(01) -- Letter dated 8 May 2002 from Hon
(issued on 9 May 2002) CHEUNG Man-kwong concerning the
Director of the Chief Executive's Office

LC Paper No. CB(2)2112/01-02(01) -- Administration's response to Hon
(issued on 29 May 2002) CHEUNG Man-kwong's letter of 8 May
2002

LC Paper No. CB(2)1929/01-02(01) -- Administration's paper on "Director of the
(issued on 13 May 2002) Chief Executive's Office"

LC Paper No. CB(2)2068/01-02(01) -- Administration's paper on "Job description
(issued on 27 May 2002) of the post of the Director of the Chief
Executive's Office"

VII. Relationship between bureaux and departments

VIII. Review of advisory and statutory bodies and other public bodies, implications of the proposed system on their roles and functions

LC Paper No. LS103/01-02 -- Paper prepared by Legal Service Division
(issued on 23 May 2002) on "Functions and Roles of Policy
Secretaries in Ordinances relating to the
Monetary Authority and the Securities and
Futures Commission"

IX. Development and formulation of constitutional conventions

IN26/01-02 issued under LC Paper -- Information Note on "Some Basic
No. CB(2)1886/01-02 on 10 May Information on Constitutional
2002 (Chinese version issued vide Conventions" prepared by Research and
LC Paper No. CB(2)1925/01-02 on Library Services Division
14 May 2002)

X. Issues relating to appointment,

employment and removal of principal officials

- LC Paper Nos. CB(2)1677/01-02 (01) - (03) (issued on 23 April 2002) -- Executive Summary, Parts 5 and 6 of the Research Report on "Process of Appointment of Senior Members of Government in Selected Countries"
- LC Paper No. CB(2)1976/01-02 (01) (issued on 16 May 2002) -- Administration's paper on "Appointment, Employment and Removal of Principal Officials"
- LC Paper No. CB(2)1986/01-02 (01) (issued on 17 May 2002) -- Letter dated 16 May 2002 from Hon CHEUNG Man-kwong concerning integrity checking and medical examination
- LC Paper No. CB(2)2112/01-02(02) (issued on 29 May 2002) -- Administration's response to Hon CHEUNG Man-kwong's letter of 16 May 2002
- LC Paper No. CB(2)2075/01-02(02) (issued on 27 May 2002) -- Administration's paper on "Extended Checking of Principal Officials"

XI. Conflict of interest

- LC Paper Nos. CB(2)1676/01-02 (01) - (04) (issued on 23 April 2002) -- Executive Summary and Part 6 of the Research Report on "Restrictions on Activities of Former Heads of Government and Former Senior Members of Government" and Supplementary Information
- LC Paper Nos. CB(2)1868/01-02 (01) and (02) (issued on 9 May 2002) -- Relevant extract of the Report of the delegation of the Panel on Constitutional Affairs and the UK Ministerial Code
- LC Paper No. CB(2)1910/01-02(01) (issued on 13 May 2002) -- Democratic Party's proposals on maintaining the political neutrality of the Civil Service - Code of Practice for Principal Officials
- LC Paper No. CB(2)1952/01-02(01) (issued on 15 May 2002) -- Administration's paper on "Employment Contract and Conflict of Interest"
- LC Paper No. CB(2)2185/01-02(02) (issued on 5 June 2002) -- "Travel by Ministers" - Note by the UK Prime Minister

XII. Arrangements for civil servants

**appointed as principal officials
under the proposed
accountability system**

- LC Paper Nos. CB(2)1758/01-02 (01) - (04) (issued on 29 April 2002) -- Papers relating to pension arrangements for civil servants appointed as principal officials under the accountability system
- LC Paper No. LS95/01-02 issued under LC Paper No. CB(2)1961/01-02 on 16 May 2002 -- Paper on "Proposed Arrangements for Payment of Pension to Serving Civil Servants Appointed as Principal Officials under the Accountability System for Principal Officials" prepared by Legal Service Division
- LC Paper No. CB(2)1992/01-02(01) (issued on 17 May 2002) -- Administration's paper on "Retirement Arrangements for Pensionable Civil Servants"

XIII. Transfer of statutory functions

(A) Resolution under section 54A of Cap. 1

- LC Paper No. CB(2)1880/01-02(01) (issued on 9 May 2002) -- Administration's paper on "Resolution under section 54A of the Interpretation and General Clauses Ordinance - Transfer of Statutory Functions"
- LC Paper No. CB(2)2092/01-02(01) (issued on 27 May 2002) -- Administration's paper on "Resolution under section 54A of the Interpretation and General Clauses Ordinance - transitional and savings provisions"
- LC Paper No. LS106/01-02 issued under LC Paper No. CB(2)2101/01-02 on 29 May 2002 -- Paper on "Resolution of the Legislative Council made under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1)" prepared by Legal Service Division
- LC Paper No. CB(2)2158/01-02(01) (issued on 3 June 2002) -- Administration's paper on "Resolution under section 54A of Cap. 1"
- LC Paper No. CB(2)2170/01-02(01) (issued on 3 June 2002) -- Administration's paper on "Amendments to the Draft Resolution under section 54A of Cap. 1"
- LC Paper No. LS112/01-02 (issued vide LC Paper No. CB(2)2214/01-02 for the House) -- Legal Service Division Report on "Proposed Resolution under section 54A of the Interpretation and General Clauses

- Committee meeting on 7 June 2002) Ordinance (Cap. 1)"
- LC Paper No. CB(2)2258/01-02(01) -- Proposed resolution to be moved by Hon
(issued on 10 June 2002) CHEUNG Man-kwong
- LC Paper No. CB(2)2258/01-02(02) -- Proposed resolution to be moved by Dr
(issued on 10 June 2002) Hon YEUNG Sum
- LC Paper No. CB(2)2268/01-02(01) -- Paper prepared by Dr Hon YEUNG Sum
(issued on 11 June 2002) on proposed resolution under section 54A
of Cap. 1
- LC Paper No. CB(2)2276/01-02(03) -- Paper prepared by Hon CHEUNG Man-
(issued on 12 June 2002) kwong on proposed resolution under
section 54A of Cap. 1
- LC Paper No. CB(2)2276/01-02(01) -- Letter dated 8 June 2002 from SALA on
(issued on 12 June 2002) issues raised by the House Committee on
the draft resolution
- LC Paper No. CB(2)2276/01-02(02) -- Administration's response to SALA's letter
(issued on 12 June 2002) of 8 June 2002

(a) Paragraph 1 and Schedule 1

- LC Paper No. CB(2)2141/01-02(01) -- Administration's paper on "Transfer of
(issued on 3 June 2002) Statutory Functions from Secretary for
Commerce and Industry to Secretary for
Commerce, Industry and Technology"

(b) Paragraph 2 and Schedule 2

- LC Paper No. CB(2)2142/01-02(01) -- Administration's paper on "Transfer of
(issued on 3 June 2002) Statutory Functions from Secretary for
Information Technology and Broadcasting
to Secretary for Commerce, Industry and
Technology"

(c) Paragraph 3 and Schedule 3

- LC Paper No. CB(2)2143/01-02(01) -- Administration's paper on "Transfer of
(issued on 3 June 2002) Statutory Functions from Secretary for
Economic Services to Secretary for
Economic Development and Labour"
- LC Paper No. CB(2)2255/01-02 -- Replacement sheets provided by the
(issued on 11 June 2002) Administration on LC Paper No.
CB(2)2143/01-02(01)

(d) Paragraph 4 and Schedule 4

LC Paper No. CB(2)2144/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Education and Manpower to Secretary for Economic Development and Labour"
(issued on 3 June 2002)

(e) Paragraph 5 and Schedule 5
Paragraph 10 and Schedule 10

LC Paper No. CB(2)2154/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for the Environment and Food to Secretary for the Environment, Transport and Works and Secretary for Health, Welfare and Food"
(issued on 3 June 2002)

LC Paper No. CB(2)2255/01-02 -- Replacement sheets provided by the Administration on LC Paper No. CB(2)2154/01-02(01)
(issued on 11 June 2002)

(f) Paragraph 6 and Schedule 6

LC Paper No. CB(2)2152/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Transport to Secretary for the Environment, Transport and Works"
(issued on 3 June 2002)

LC Paper No. CB(2)2255/01-02 -- Replacement sheets provided by the Administration on LC Paper No. CB(2)2152/01-02(01)
(issued on 11 June 2002)

(g) Paragraph 7 and Schedule 7

LC Paper No. CB(2)2151/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Works to Secretary for the Environment, Transport and Works"
(issued on 3 June 2002)

(h) Paragraph 8 and Schedule 8

LC Paper No. CB(2)2122/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Financial Services to Secretary for Financial Services and the Treasury"
(issued on 30 May 2002)

(i) Paragraph 9 and Schedule 9

LC Paper No. CB(2)2123/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for the Treasury to Secretary for Financial
(issued on 30 May 2002)

Services and the Treasury"

(j) Paragraph 11 and Schedule 11

LC Paper No. CB(2)2153/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Health and Welfare to Secretary for Health, Welfare and Food"
(issued on 3 June 2002)

(k) Paragraph 12 and Schedule 12

LC Paper No. CB(2)2121/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Housing to Secretary for Housing, Planning and Lands"
(issued on 30 May 2002)

(l) Paragraph 13 and Schedule 13

LC Paper No. CB(2)2120/01-02(01) -- Administration's paper on "Transfer of Statutory Functions from Secretary for Planning and Lands to Secretary for Housing, Planning and Lands"
(issued on 30 May 2002)

LC Paper No. CB(2)2255/01-02 -- Replacement sheets provided by the Administration on LC Paper No. CB(2)2120/01-02(01)
(issued on 11 June 2002)

(B) Interpretation and General Clauses Ordinance (Replacement of Schedule 6) Order 2002

LC Paper No. CB(2)2068/01-02(02) -- Administration's paper on "Interpretation and General Clauses Ordinance (Replacement of Schedule 6) Order 2002"
(issued on 27 May 2002)

XIV. Financial and staffing implications

LC Paper No. CB(2)2068/01-02(03) -- Administration's paper on "Financial and Staffing Implications"
(issued on 27 May 2002)

LC Paper No. CB(2)2185/01-02(01) -- Administration's paper on "Permanent Secretary Posts under the Accountability System for Principal Officials"
(issued on 5 June 2002)

LC Paper No. LS114/01-02 issued under LC Paper No. CB(2)2217/01-02 on 6 June 2002 -- Paper on "Legal Issues relating to the Provision of Permanent Secretary posts under the Accountability System for Principal Officials" prepared by the Legal Adviser

C. Written submissions

LC Papers Nos. CB(2)1854, 1857, 1895, 1917, 1931, 1947, 1974, 1985, 2013 and 2072/01-02 (issued on 8, 9, 10, 13, 14, 15, 17, 21 and 27 May 2002) -- Written submissions from organisations and individuals

LC Paper No. CB(2)2073/01-02(01) (issued on 27 May 2002) -- A summary of the views expressed by organisations/individuals on the proposed accountability system

LC Paper No. CB(2)2107/01-02(01) (issued on 29 May 2002) -- Administration's response to views expressed by organisations/individuals on the proposed accountability system

D. Other relevant papers

I. Issues raised at previous meetings or by individual members

LC Paper No. CB(2)1691/01-02(04) (Chinese version issued vide LC Paper No. CB(2)1710/01-02 on 23 April 2002) -- A summary of concerns and views raised at the meetings of the Panel on Constitutional Affairs prepared by LegCo Secretariat

LC Paper No. CB(2)1711/01-02(01) (issued on 23 April 2002) -- Administration's response to issues previously raised at the meetings of Panel on Constitutional Affairs

LC Paper No. CB(2)1762/01-02(01) (issued on 30 April 2002) -- Issues raised at the meeting of the Panel on Constitutional Affairs on 18 April 2002

LC Paper No. CB(2)2034/01-02(01) (issued on 22 May 2002) -- Administration's response to issues raised at the meeting of Panel on Constitutional Affairs on 18 April 2002

LC Paper No. CB(2)1775/01-02(01) (issued on 2 May 2002) -- Issues raised at the meeting of the Subcommittee on 29 April 2002

LC Paper No. CB(2)2034/01-02(02) (issued on 22 May 2002) -- Administration's response to issues raised at the meeting of the Subcommittee on

29 April 2002

- LC Paper Nos. CB(2)2055/01-02 -- Letters dated 23 May 2002 from Hon
(01) and (02) CHEUNG Man-kwong seeking written
(issued on 23 May 2002) response from the Administration on
various matters
- LC Paper Nos. CB(2)2112/01-02 -- Administration's responses to Hon
(03) and (04) CHEUNG Man-kwong's letters of 23 May
(issued on 29 May 2002) 2002
- LC Paper No. CB(2)2104/01-02(02) -- Letter dated 30 May 2002 from Hon
(issued on 30 May 2002) CHEUNG Man-kwong
- LC Paper No. CB(2)2206/01-02(01) -- Administration's response to Hon
(issued on 6 June 2002) CHEUNG Man-kwong's letter of 30 May
2002
- LC Paper No. CB(2)1821/01-02(01) -- Issues raised at the meeting of the
(issued on 6 May 2002) Subcommittee on 3 May 2002
- LC Paper No. CB(2)2034/01-02(03) -- Administration's response to issues raised
(issued on 22 May 2002) at the meeting of the Subcommittee on
3 May 2002
- LC Paper No. CB(2)1869/01-02(01) -- Issues raised at the meeting of the
(issued on 9 May 2002) Subcommittee on 7 May 2002
- LC Paper No. CB(2)2066/01-02(01) -- Administration's response to issues raised
(issued on 27 May 2002) at the meeting of the Subcommittee on
7 May 2002
- LC Paper No. CB(2)1924/01-02(01) -- Issues raised at the meeting of the
(issued on 14 May 2002) Subcommittee on 10 May 2002
- LC Paper No. CB(2)2066/01-02(02) -- Administration's response to issues raised
(issued on 27 May 2002) at the meeting of the Subcommittee on
10 May 2002
- LC Paper No. CB(2)1926/01-02(01) -- Issues raised at the meeting of the
(issued on 14 May 2002) Subcommittee on 11 May 2002
- LC Paper No. CB(2)2066/01-02(03) -- Administration's response to issues raised
(issued on 27 May 2002) at the meeting of the Subcommittee on
11 May 2002
- LC Paper No. CB(2)1967/01-02(01) -- Issues raised at the meeting of the
(issued on 16 May 2002) Subcommittee on 14 May 2002

- LC Paper No. CB(2)2045/01-02(01) -- Administration's response to issues raised
(issued on 23 May 2002) at the meeting of the Subcommittee on
14 May 2002
- LC Paper No. CB(2)1991/01-02(01) -- Issues raised at the meeting of the
(issued on 18 May 2002) Subcommittee on 17 May 2002
- LC Paper No. CB(2)2066/01-02(04) -- Administration's response to issues raised
(issued on 27 May 2002) at the meeting of the Subcommittee on
17 May 2002
- LC Paper No. CB(2)2033/01-02(01) -- Issues raised at the meeting of the
(issued on 22 May 2002) Subcommittee on 21 May 2002
- LC Paper No. CB(2)2092/01-02(02) -- Administration's response to issues raised
(issued on 27 May 2002) at the meeting of the Subcommittee on
21 May 2002
- LC Paper No. CB(2)2079/01-02(01) -- Issues raised at the meeting of the
(issued on 27 May 2002) Subcommittee on 24 May 2002
- LC Paper No. CB(2)2104/01-02(01) -- Administration's response to issues raised
(issued on 30 May 2002) at the meeting on the Subcommittee on
(Chinese version issued vide LC 24 May 2002
Paper No. CB(2)2155/01-02 on
3 June 2002)
- LC Paper No. CB(2)2106/01-02(01) -- Issues raised at the meeting of the
(issued on 29 May 2002) Subcommittee on 28 May 2002
- LC Paper No. CB(2)2155/01-02(01) -- Administration's response to issues raised
(issued on 3 June 2002) at the meeting on the Subcommittee on
28 May 2002
- LC Paper No. CB(2)2149/01-02(01) -- Issues raised at the meeting of the
(issued on 3 June 2002) Subcommittee on 31 May 2002
- LC Paper No. CB(2)2206/01-02(02) -- Administration's response to issues raised
(issued on 6 June 2002) at the meeting on the Subcommittee on
31 May 2002
- LC Paper No. CB(2)2187/01-02(01) -- Issues raised at the meeting of the
(issued on 5 June 2002) Subcommittee on 4 June 2002
- LC Paper No. CB(2)2206/01-02(03) -- Administration's response to issues raised
(issued on 6 June 2002) at the meeting on the Subcommittee on
4 June 2002

II. General

- LC Paper No. CB(2)1711/01-02(02) -- A list of areas for study by the
(issued on 23 April 2002) Subcommittee proposed by Hon Cyd HO
Sau-lan
- LC Paper No. CB(2)1728/01-02(01) -- List of Areas for Study
- LC Paper No. CB(2)1728/01-02(02) -- Meeting schedule of the Subcommittee
- LC Paper No. CB(2)1733/01-02(01) -- Press release dated 24 April 2002 on
(issued on 26 April 2002) Economist Intelligence Unit (EIU) Report
on Hong Kong
- LC Paper No. CB(2)1733/01-02(02) -- Press release dated 24 April 2002 on the
(issued on 26 April 2002) Administration's responses to the EIU
Report on Hong Kong
- LC Paper No. CB(2)1733/01-02(03) -- Press release dated 24 April 2002 on
(issued on 26 April 2002) speech made by the Chief Secretary for
Administration at the luncheon of the
British Chamber of Commerce on the
proposed accountability system for
principal officials
- LC Paper No. CB(2)2093/01-02(01) -- An updated list of issues raised by
(issued on 27 May 2002) members and the Administration's
response (as at 25 May 2002)
- LC Paper No. CB(2)2168/01-02(01) -- An updated list of issues raised by
(issued on 3 June 2002) members and the Administration's
response (as at 3 June 2002)
- LC Paper No. CB(2)2230/01-02(01) -- An updated list of issues raised by
(issued on 7 June 2002) members and the Administration's
response (as at 6 June 2002)
- LC Paper No. CB(2)2127/01-02(01) -- Press release on speech made by the
(issued on 30 May 2002) Secretary for Constitutional Affairs at the
motion debate on the accountability
system for principal officials held at the
Council meeting on 29 May 2002
- LC Paper No. CB(2)2127/01-02(02) -- Press release on speech made by the Chief
(issued on 30 May 2002) Secretary for Administration at the motion
debate on the accountability system for
principal officials held at the Council
meeting on 29 May 2002

LC Paper No. CB(2)2161/01-02(01) -- Press release on speech made by the Secretary for the Civil Service at the motion debate on the accountability system for principal officials held at the Council meeting on 29 May 2002
(issued on 3 June 2002)

E. Reports of the Subcommittee

LC Paper No. CB(2)2015/01-02 -- Interim Report of the Subcommittee to the House Committee meeting on 24 May 2002
(issued on 23 May 2002)

LC Paper No. CB(2)2171/01-02 -- Report of the Subcommittee to the House Committee meeting on 7 June 2002
(issued on 6 June 2002)

LC Paper No. CB(2)2277/01-02 -- Final Report of the Subcommittee to the House Committee meeting on 14 June 2002
(issued on 13 June 2002)

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