

立法會
Legislative Council

LC Paper No. CB(2)2660/01-02

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

**Minutes of the ninth meeting
held on Saturday, 18 May 2002 at 9:00 am
in the Chamber of the Legislative Council Building**

Members Present : Hon IP Kwok-him, JP (Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Margaret NG
Hon HUI Cheung-ching, JP
Hon CHAN Kam-lam
Dr Hon Philip WONG Yu-hong
Hon Jasper TSANG Yok-sing, JP
Hon Howard YOUNG, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok

Members Attending : Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LAU Ping-cheung

Members : Dr Hon YEUNG Sum (Deputy Chairman)
Absent : Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon Eric LI Ka-cheung, JP
Hon NG Leung-sing, JP
Hon CHEUNG Man-kwong
Hon Andrew WONG Wang-fat, JP
Hon YEUNG Yiu-chung, BBS
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon CHOY So-yuk
Hon SZETO Wah
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP

Public Officers : 9:00 am - 10:30 am
Attending

Mr Clement C H MAK
Deputy Secretary for Constitutional Affairs

Mr M S WU
Principal Assistant Secretary for Civil Service

10:30 am - 1:30 pm

Mr Robin IP
Deputy Secretary for Constitutional Affairs

Mr M S WU
Principal Assistant Secretary for Civil Service

By invitation : 9:00 am - 10:30 am

Mr Andrew LEUNG
Deputy Chairman
Federation of Hong Kong Industries

Mr WONG Siu-yee
Member, Kowloon City District Council

Dr MA Ngok
Assistant Professor
Division of Social Science
The Hong Kong University of Science and Technology

Dr LO Shiu-hing
Associate Professor
Department of Politics and Public Administration
The University of Hong Kong

Mr CHEUNG Yat-fung
Course-Tutor
Department of Politics and Public Administration
The University of Hong Kong

Mr Kwong Kam-kwan
Course-Tutor
Department of Politics and Public Administration
The University of Hong Kong

Mr Anthony CHOW
Representative
The Law Society of Hong Kong

Mr Peter LO
Representative
The Law Society of Hong Kong

Ms Catherine CHEUNG
Member
Pro-Vision

Ms Katy LAM
Member
Pro-Vision

Mr Daniel R. FUNG, QC, SC

Miss CHAN Sau-ying
Representative
The Democratic Party

Mr CHAN Ka-wai
Representative
The Democratic Party

Mr LAN Hung-tsung, David
Vice-Convenor
New Century Forum

Mr LAI Ki-leuk, Joseph
Honorary-Treasurer
New Century Forum

Dr LI Sze-bay, Albert, JP
Member, Wong Tai Sin District Council

Mr CHEUNG Yan-hong
Member, Wong Tai Sin District Council

Mr CHAN Choi-hi
Member, Central & Western District Council

Mr CHAN Chit-kwai
Member, Central & Western District Council

Ms LAW Lai-kuen
Member, Kwun Tong District Council

Mr YEUNG Pak-sing
Member, Kwun Tong District Council

Mr CHAN Chung-bun

10:30 am - 12:00 noon

Mr CHOW Chi-cheong
Representative
The Chinese General Chamber of Commerce-
YMT-TST-MKK District Liaison Group

Ms CHAN Kit-may
Secretary
Hong Kong Swatow Merchants Association Limited

Mr SHI Kai-biu
President
The Chiu Chau Plastic Manufacturers
Association Company Limited

Mr Charles MOK
President
Hong Kong Information Technology Federation

Mr Alex CHUNG
Research Coordinator
Friends of the Earth (Hong Kong)

Dr Gordon NG
Chief Executive
The Conservancy Association

Mr Jackson KUNG
Director
New Century Society Limited

Mr WAN Hing-sheung
Chairman
The King Chung Association

Mr CHUNG Shu-kun
Chief Executive
Cultural and Recreational Services Centre

Miss LI Lin
Chairman
Kowloon Women's Organisation Federation

Mr HSU Hoi-shan
General Secretary
Alliance of Hong Kong Youth Groups

Mr NGAI Hung
Chairman
Hong Kong Youths Unified Association

Mr YU Shiu-hing
Vice-Chairman
Hong Kong Youths Unified Association

Mr CHIANG Yu-tui
Vice-chairman
Hong Kong United Youth Association

Ms CHAN Shun-ni
Deputy Chairman
Hong Kong Youth Association

Mr LAU Chong-hen
Member
Tsuen Wan Youths Association

Mr Jo NIP
Chairman
Tseung Kwan O Youth Association

Mr CHAU Tsz-chung
Member
Tuen Mun Youths Association

12:00 noon - 1:30 pm

Mr HO Tai-sing
Chief Executive
Tai Hang Concern Association

Mr Peter CHEUNG
Kwai Fong Branch Officer
Kwai Chung Residents Association

Mr TSO Kwai-ban
Deputy Director
Kwun Tong Residents Association

Mr LAI Pak-yin
Executive Secretary
Sham Shui Po Residents Association

Mr LAU Tat-chor
Secretary General
Kowloon City District Residents Association

Mr WONG Wai-chung
Member
Lei Cheng Uk Residents Association

Mr CHUNG Yam-cheung
Secretary General
The Association of the Hong Kong Central
and Western District Limited

Ms LING Wing-chu
Vice-Chairman
Causeway Bay Association Limited

Mr LAI Wing-ho, Joe
Member of Social Policy Committee
Kowloon Federation of Associations

Mr CHAN Ho-yin
Social Policy Researcher
Kowloon Federation of Associations

Ms CHAU Chuen-heung
Deputy Chairman
New Territories Association of Societies

Mr CHAN Yung
Deputy Chief Executive Officer
New Territories Association of Societies

Mr PANG Wah-kan
Deputy Chairman
Joint Committee of Hong Kong Fisherman's
Organizations

Mr WAN Kwong-lam
Secretary General
Joint Committee of Hong Kong Fisherman's
Organizations

Mr LAM Kun-so
Deputy Chairman
Hong Kong Fishermen's Association

Mr LAM Faat Kang
Deputy General-officer
The Foochow Association Ltd

Mr CHOW Hing

Mr CHAN Sun

Mr CHU Chun-lok

Clerk in Attendance : Mr Paul WOO
Chief Assistant Secretary (2)6

Staff in Attendance : Miss Monna LAI
Assistant Legal Adviser 7

Miss Lolita SHEK
Senior Assistant Secretary (2)7

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I. Meeting with deputations

[LC Paper Nos. CB(2)1974/01-02(01)-(34)]

The Chairman welcomed the representatives of the organisations/individual persons to the meeting to exchange views with members of the Subcommittee on the proposed accountability system for principal officials. He said that the written submissions received by the Subcommittee had been circulated to members before the meeting. He invited each of the deputations to make a brief oral representation on the proposed accountability system.

2. A summary of the views expressed by the deputations at the meeting was attached in the **Appendix**.

3. The Chairman then invited questions from members of the Subcommittee. The major issues discussed were summarised in the following paragraphs.

Timing for implementing the proposed system

4. Mr CHAN Kam-lam sought comments from Mr WAN Hing-sheung, Mr HSU Hoi-shan and Mr Alex CHUNG on the suggestion from Mr SHI Kai-biu to postpone the implementation of the accountability system for five years so that the Government could, in the meantime, concentrate its efforts on tackling the economic problems in Hong Kong.

5. Both Mr WAN Hing-sheung and Mr HSU Hoi-shan responded that they had reservation on Mr SHI's suggestion. Mr WAN opined that the Government should implement the accountability system as soon as possible in order to improve the governance of Hong Kong which would help solve the economic problems facing Hong Kong. Mr HSU said that the operation of the accountability system would improve as time progressed. It was therefore not necessary to defer the implementation of the system. Mr Alex CHUNG said that the Friends of the Earth (Hong Kong) had not discussed in detail the timing for implementing the accountability system. The stance of the organisation was that with the re-shuffled portfolios of the various policy bureaux under the new accountability system, the Government should make better efforts in improving environmental protection and addressing the related problems. The

Government should not focus its attention solely on solving economic problems.

The role of the Legislative Council (LegCo) in the proposed system

6. In response to Ms Emily LAU, Dr LO Shiu-hing said that an enhanced monitoring role of LegCo was a necessary condition for the successful operation of the accountability system. He also stressed the importance of effective communication between LegCo and the Executive Council (ExCo) and between LegCo and the principal officials. He opined that the Government should clarify the role of LegCo under the new accountability system, and explain how the proposed system would improve communication and relationship between the Executive and the Legislature. Mr CHEUNG yat-fung supplemented that a strengthening of the role of LegCo in monitoring the performance of the principal officials would help ensure that the principal officials would truly be held accountable for the success and failure of the Government's policies.

Political appointment of the Secretary for Justice (SJ)

7. Mr Albert HO requested Mr Daniel FUNG to comment on the Government's reluctance to accept the proposal that SJ's power to make prosecution decisions should be transferred to the Director of Public Prosecutions (DPP), if the post of SJ was to be filled by a political appointee.

8. Mr Daniel FUNG responded that Article 63 of the Basic Law (BL) stated that the Department of Justice (D of J) of the Hong Kong Special Administrative Region should control criminal prosecutions, free from interference. This in fact did not vary the position before the Reunification. However, in his view, BL 63 did not require that the authority to take prosecution decisions should vest solely in SJ, nor SJ alone must take personal responsibility for those matters. Mr FUNG said that he was not in opposition to the post of SJ being filled by a political appointee under the accountability system. But the proposal to delegate the prosecution powers to DPP, who would remain to be a civil servant, deserved careful consideration by the Administration. He further said that the responsibility for the daily operation of the D of J should also be assumed by a civil servant.

Principal officials under the proposed system

9. Mr CHAN Kam-lam sought the views of Mr David LAN on the impact of the proposed system on the political neutrality of the civil service and the working relationship between the principal officials and the Permanent Secretaries. Mr LAN responded that under the proposed system, civil servants would be able to maintain their political neutrality, as they would only need to execute the policy decisions. As regards the relationship between the

principal officials and Permanent Secretaries, he advised that from his experience as an ex-senior civil servant, the principal officials and Permanent Secretaries should find no difficulties in establishing a good working relationship and cooperating with each other in implementing Government policies.

10. Mr Albert HO noted that the Administration had recently stated that members of political parties would not be required to withdraw their membership from their parties if they accepted appointment as principal officials. He asked Dr MA Ngok to comment on the effect of this arrangement on the relationship between LegCo and ExCo as well as the political development in Hong Kong.

11. Dr MA said that he supported the relaxation, although he had doubt on whether it would generate any significant positive effect on the political development in Hong Kong. He anticipated that only a few, if any, members of political parties would be appointed as principal officials. Furthermore, they would find themselves to be in a difficult position because, whereas their parties would expect them to exercise influence on the decisions of ExCo, they might be unable to do so as they would constitute only a minority in ExCo.

The proposed Environment Bureau

12. Referring to the proposal from the Friends of the Earth (Hong Kong) and the Conservancy Association to establish an independent Environment Bureau to deal with environmental issues, Ms Emily LAU sought clarification from the organisations on the justifications for their proposal. Dr Gordon NG explained that the proposed bureau was intended not only to deal with environmental problems which had become increasingly serious in Hong Kong, but also the conservation and useful development of resources. He pointed out that environmental development had become one of the major areas of development in most advanced countries. The importance of the subject matter should justify the establishment of an independent bureau. Mr Alex CHUNG added that at present, joint efforts of departments in different policy bureaux were often needed in tackling environmental issues because of their complexity. Therefore, the establishment of a new independent bureau to take overall charge and to better coordinate efforts and resources to deal with these matters was necessary.

II. Date of next meeting

13. The next meeting of the Subcommittee would be held on Tuesday, 21 May 2002 from 8:30 am to 12:45 pm.

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14. There being no other business, the meeting ended at 1:30 pm.

Council Business Division 2
Legislative Council Secretariat
31 July 2002

Subcommittee on the Proposed Accountability System for Principal Officials and Related Issues
Meeting on 18 May 2002
Summary of views expressed by organisations/individuals

Organisation/ Individual LC Paper No. of Written submission	Overall comments on the accountability system; Consistency with the Basic Law (BL); The function, composition and operation of the Executive Council (ExCo); Splitting, merging and retention of bureaux	Principal officials under the proposed system; Civil Service under the proposed system; Relationship between bureaux and departments; Review of advisory and statutory/public bodies and implications of the proposed system on their roles and functions
1. Federation of Hong Kong Industries CB(2)1974/01-02(01)	(a) In support of implementation of the accountability system on 1 July 2002; (b) The appointment of principal officials as ExCo members will facilitate internal coordination within the Government.	(c) The principal officials, who are appointed from the elites of the society, and the civil servants will complement each other through cooperation; (d) The separation of political accountability from execution of policies will ensure the political neutrality of the civil service; and (e) The restrictions on post-office employment on principal officials should not deter competent people from joining the Government.
2. Mr WONG Siu-yee Member, Kowloon City District Council CB(2)2013/01-02(01)	(a) In support of the concept of the accountability system but has reservations on the framework and details of implementation proposed by the Government;	(c) In support of the enhancement of the accountability of principal officials. Eventually all civil servants should be included in the accountability system;

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	<p>(b) As the posts of Permanent Secretaries are not provided for in BL, the Government may be challenged in future for possible contravention of BL. Moreover, it should be stated clearly whether the posts of Permanent Secretaries should be held by permanent residents of Hong Kong with no right of abode in any foreign country.</p>	<p>(d) The accountability system will become meaningless if the majority of the posts of principal officials are taken up by incumbent Policy Secretaries;</p> <p>(e) Whether principal officials have the power to deploy or dismiss staff of the executive departments under their respective portfolios, and what impact the accountability system will have on the deployment of serving Administrative Officers;</p> <p>(f) Some of the provisions in the draft code for principal officials will tie the hands of the officials. Besides, the standards are ambiguous and may create conflicts between them and the Permanent Secretaries, thereby discouraging elites from outside the civil service from joining the Government; and</p>

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		<p>(g) How the Government can guarantee that after the implementation of the accountability system, civil servants will be loyal to the Chief Executive (CE) and the principal officials and support and execute their decisions wholeheartedly, and that the principle of political neutrality of the civil service will not be abused.</p>	
<p>3.</p>	<p>Dr MA Ngok The University of Science and Technology CB(2)1974/01-02(02)</p>	<p>(a) The accountability system as proposed by the Administration has not set out the details which should be taken into consideration in implementation. The Government should, as far as possible, set out the details of the accountability system through legislation and in other written forms. The Government should not implement the new system hastily on 1 July 2002;</p> <p>(b) The appointment of principal officials as ExCo members is a rational arrangement;</p>	<p>(j) May consider the delegation of the power of the Secretary for Justice (SJ) to make decisions on criminal prosecutions to prevent interference on the principle of criminal prosecutions by political appointees;</p> <p>(k) It is not necessary for the Secretary for the Civil Service (SCS) to be selected from within the civil service. The appointment and performance assessment functions should be separated from those related to the review of the civil service system and other policy areas. The head of the civil service should be a civil servant directly responsible to the Chief Secretary for Administration (CS) for the former functions, while a principal official under the accountability system will be responsible for the latter functions;</p>

<p style="text-align: center;">Organisation/ Individual</p> <p>LC Paper No. of Written submission</p>	<p>Overall comments on the accountability system; Consistency with the Basic Law (BL); The function, composition and operation of the Executive Council (ExCo); Splitting, merging and retention of bureaux</p>	<p>Principal officials under the proposed system; Civil Service under the proposed system; Relationship between bureaux and departments; Review of advisory and statutory/public bodies and implications of the proposed system on their roles and functions</p>
	<p>(c) ExCo would become a collective decision-making body. It is necessary to introduce a mechanism for collective accountability for decisions made by ExCo and to define the rights and obligations of the Directors of Bureau relative to ExCo and CE;</p> <p>(d) CE should appoint new ExCo members based on their representativeness of different classes and political opinions;</p> <p>(e) The reorganisation of bureaux should be based on the principle of enhancement of efficiency or sound integration of policies. The Government should consider a more thorough reorganisation of the framework to achieve a more rational redistribution of the portfolios of the various bureaux;</p> <p>(f) The original grouping of economy-related portfolios should be maintained as far as possible;</p> <p>(g) The Education and Manpower portfolios should be split to become separate bureaux;</p>	<p>(l) There is little difference between the duties of Permanent Secretaries and deputy secretaries and those of principal officials under the accountability system. It is therefore necessary to ascertain whether holders of the former two posts are required to be accountable to a certain extent for policy mishaps they have made. The principal officials should be responsible for policy areas which require direct accountability to the public and the Legislative Council (LegCo). In the long run, the deputy Secretaries should also be politically appointed; and</p> <p>(m) In order to uphold the political neutrality of the civil service, the Government should institutionalise the mechanism for the protection of civil servants. It should be in the form of legislation or a code of practice providing them the right to refuse to carry out instructions and channel to complain if civil servants are forced to act against their conscience or public interests.</p>

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		<p>(h) Environment should be separated from Food and Hygiene. The latter can be merged with Health and Welfare while the former with part of the urban planning functions of the Planning and Lands Bureau to become a new Environment and Planning Bureau;</p> <p>(i) Not in support of placing the Manpower portfolio under Industry and Commerce Bureau. Labour protection should merge with the Welfare portfolio to become an independent bureau for labour matters.</p>	
<p>4.</p>	<p>Dr LO Shiu-hing The University of Hong Kong CB(2)2013/01-02(02)</p>		<p>(a) LegCo can strengthen its role in monitoring the performance of principal officials through the following measures -</p> <p>(i) to invite candidates nominated for principal officials to attend Council meetings to enhance mutual understanding and communication and to move a motion debate to decide whether to endorse the nominations of principal officials and to require the principal officials to pay attention to particular policies;</p>
<p>5.</p>	<p>Mr CHEUNG Yat-fung The University of Hong Kong CB(2)2013/01-02(02)</p>		

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		<ul style="list-style-type: none"> (ii) in the event of serious policy blunders, to move a motion of no-confidence in the principal official concerned to hold him accountable; (iii) to request principal officials to explain to LegCo their policy objectives in the following year and to evaluate the progress made; and (iv) to request principal officials to submit work reports at the end of their term for reference of their successors. <ul style="list-style-type: none"> (b) LegCo may consider reorganising its panels to enhance their communication with the principal officials and to strengthen the latter's accountability; (c) LegCo may urge government departments to tie their performance pledges with the policy objectives of the principal officials; and (d) LegCo may establish a panel on public and subvented organisations to enhance monitoring of public organisations.

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6. Mr KWONG Kam-kwan The University of Hong Kong CB(2)2013/01-02(03)		<p>(a) SCS, being a political appointee, would find himself in a difficult position when exercising his duties, as he has to protect the rights of the civil servants and be held politically accountable for his decisions at the same time. This would deepen internal conflicts within the Government and undermine the effectiveness of the accountability system;</p> <p>(b) The Permanent Secretaries, who are not political appointees, will still be responsible for promoting and executing policies, making the effectiveness of the accountability system doubtful; and</p> <p>(c) As LegCo is not in a position to influence the appointment or removal of principal officials, nor does it have the means to monitor their performance, its relationship with the Government will not improve. It is suggested that LegCo may invite principal official designates to introduce themselves to LegCo to enhance mutual understanding, so as to improve the relationship between LegCo and the Government.</p>

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7. The Law Society of Hong Kong (no written submission provided)	<p>(a) As a result of the accountability system, a thorough understanding of the following provisions of BL is required -</p> <p>BL 48(5) provides for the appointment of principal officials; BL 54 and 55 stipulate the function and composition of ExCo; BL 59 and 60 provide for CE to be the head of the Hong Kong Special Administrative Region (HKSAR); BL 61 and 101 provide for the citizenship requirement for principal officials and different ranks of civil servants; and BL 103 provides for the maintenance of the existing system of recruitment and employment of civil servants;</p> <p>(b) The appointment of principal officials on terms different from those for civil servants represents a departure from the existing recruitment and employment system for public servants. However, from a rational perspective, BL 103 is not intended to “fossilise” the appointment system for government officials but to suit the needs of Hong Kong. Therefore, the Government can appoint principal officials under the</p>	

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		<p>accountability system in accordance with BL 48(5) without having to follow the terms of employment for civil servants; and</p> <p>(c) Judging from the above analysis of BL, the accountability system does not contravene BL. Nonetheless, the Government should enact legislation for the implementation of the system in order to dispel possible misgivings among the public.</p>	
8.	Pro-Vision CB(2)1974/01-02(03)	(a) In support of the accountability system which is a first step to reform.	<p>(b) In support of appointment of elites of the community from outside the civil service as principal officials since the success of the accountability system relies on whether experts and competent people will play the leading roles in governance;</p> <p>(c) CE should account for the criteria for the nomination of principal officials to the public;</p> <p>(d) Principal officials should explain to the public their policy thinking, work objectives as well as measurable projected result. They should also self-evaluate their performance and progress annually; and</p>

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		(e) If the contract of a principal official is terminated prematurely, CE should explain the reasons to the public.
9.	Mr Daniel R. Fung, QC, SC (no written submission provided)	(a) In support of the separation of political accountability from the responsibilities of the departments in executing and administering policies. This will be conducive to preserving the political neutrality as well as boosting morale of the civil service; (b) Political appointees should not be responsible for matters relating to criminal prosecution. BL does not stipulate that such duty must be executed by SJ only. The duties can be taken up by the Director of Public Prosecutions (DPP) and the post of DPP should be held by a civil servant; and (c) To strike a balance between enlisting talents from outside the civil service and preserving the political neutrality of the civil service, the Government should also study in detail whether other Law Officers should be politically appointed.

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10. The Democratic Party CB(2)1974/01-02(04) CB(2)2013/01-02(04)	<p>(a) Does not object to a system under which principal officials can be truly held accountable for their policies, but questions whether the proposed accountability system can really achieve the purpose;</p> <p>(b) A fair, open and just election for CE by universal suffrage is necessary before the implementation of the accountability system. The proposed system should come with a set of clear and strict rules and regulations. The Administration should also widely consult the public to win their support and agreement;</p> <p>(c) Objects to the hasty implementation of the accountability system on 1 July 2002 because the Government has failed to consult the public and complete the study on the transfer of statutory powers or amendment of the legislation;</p> <p>(d) Expresses extreme resentment and regret about the Government's failure to consult District Councils (DCs) and its refusal to attend DC meetings to discuss the accountability system.</p>	<p>(e) Principal officials are only accountable to CE who is not elected by universal suffrage, therefore the accountability system is incapable of achieving its intended purpose of principal officials being accountable to the people;</p> <p>(f) The appointment of principal officials should be subject to approval by LegCo. If LegCo passes a motion of no-confidence, the relevant principal official should bear the political responsibility and resign or be removed; and</p> <p>(g) It is necessary to establish procedures for integrity checks, code of practice and declaration of interests for principal officials to avoid the seeking of advantages through the use of power and to preserve the neutrality of the civil service.</p>

Organisation/ Individual LC Paper No. of Written submission	Overall comments on the accountability system; Consistency with the Basic Law (BL); The function, composition and operation of the Executive Council (ExCo); Splitting, merging and retention of bureaux	Principal officials under the proposed system; Civil Service under the proposed system; Relationship between bureaux and departments; Review of advisory and statutory/public bodies and implications of the proposed system on their roles and functions
11. New Century Forum CB(2)1974/01-02(05)	(a) In support of accountability system; (b) The implementation of the accountability system is a huge step forward in Hong Kong's political development.	(c) Principal officials must grasp public opinions and strengthen the study of policies and cooperate wholeheartedly with civil servants for the implementation of policies; (d) The Government should establish a comprehensive system of declaration of interests, integrity checks and termination of service for principal officials; and (e) The accountability system will preserve the political neutrality of civil servants and will allow them to focus on policy execution. Also, it will not affect their promotion prospects and the stability of the civil service.
12. Dr LI Sze-bay, Albert, JP Member, Wong Tai Sin District Council (no written submission provided)	(a) Since all principal officials will be appointed as ExCo members, the Government should appoint an adequate number of non-official Exco members to strike a balance.	(b) The Government should draw up clear criteria for the appointment of principal officials, placing emphasis on the candidate's work attitude and past performance, and require candidates to pass the integrity checks.

LC Paper No. of Written submission	Organisation/ Individual	Overall comments on the accountability system; Consistency with the Basic Law (BL); The function, composition and operation of the Executive Council (ExCo); Splitting, merging and retention of bureaux	Principal officials under the proposed system; Civil Service under the proposed system; Relationship between bureaux and departments; Review of advisory and statutory/public bodies and implications of the proposed system on their roles and functions
13.	Mr CHEUNG Yan-hong Member, Wong Tai Sin District Council CB(2)1974/01-02(06)	(a) In support of the implementation of accountability system on 1 July 2002.	(b) The accountability system enables CE to exercise flexibility in selecting talents from outside the civil service to become principal officials, who will assist him in the administration of the HKSAR affairs.
14.	Mr CHAN Choi-hi Member, Central and Western District Council (no written submission provided)	(a) Opposes the merge of the portfolio of Environment with Health and Welfare. The scope of duties of the proposed Environment, Health and Welfare Bureau is too wide, which will deprive environmental affairs of the attention and resources they deserve.	(b) LegCo should establish a select committee and “shadow minister” to monitor the work of the Secretaries of Department and Directors of Bureau; (c) It is necessary to establish a comprehensive mechanism for the declaration of interests by principal officials; and (d) To prevent conflict of interests, it is necessary to impose restrictions on the employment of principal officials within the first year after leaving office.
15.	Mr CHAN Chit-kwai Member, Central and Western District Council CB(2)1974/01-02(07)	(a) In support of the speedy implementation of the accountability system with sound mechanisms of public monitoring and declaration of interests;	(d) Under the accountability system, civil servants will only concern themselves with the formulation and execution of policies. This will ensure the neutrality and productivity of the civil servants.

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		<p>(b) The appointment of principal officials as ExCo members will facilitate the co-ordination between ExCo and bureaux;</p> <p>(c) Moreover, LegCo Members or representatives of political parties may also be appointed as ExCo members. This will facilitate the cooperation and communication between Exco and LegCo.</p>	
16.	<p>Ms LAW Lai-kuen Member, Kwun Tong District Council (no written submission provided)</p>	<p>(a) In support of speedy implementation of the accountability system.</p>	<p>(b) The Government should train up talents to become principal officials; and</p> <p>(c) While appointing talents from outside the civil service as principal officials, the Government should also preserve the merits and traditional culture of the civil service and avoid too great an impact on the civil service. Principal officials appointed from outside the civil service and civil servants should work together wholeheartedly to complement each other.</p>
17.	<p>Mr YEUNG Pak-sing Member, Kwun Tong District Council (no written submission provided)</p>	<p>(a) In support of the accountability system.</p>	<p>(b) Should define clearly the duties of principal officials as well as the Government's demands and expectations on them; and</p>

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			(c) Should increase transparency in the appointment of principal officials.
18.	Mr CHAN Chung-bun (no written submission provided)	(a) In support of the accountability system.	(b) Should define clearly the relationship between principal officials and Permanent Secretaries and their duties; and (c) The mass media and LegCo can continue to monitor the work of principal officials effectively.
19.	The Chinese General Chamber of Commerce-YMT-TST-MKK District Liaison Group CB(2)1974/01-02(08)	(a) In support of the implementation of the accountability system on 1 July 2002.	
20.	Hong Kong Swatow Merchants Association Limited CB(2)1974/01-02(09)	(a) In support of the implementation of the accountability system on 1 July 2002.	
21.	The Chiu Chau Plastic Manufacturers Association Company Limited CB(2)2013/01-02(05)	(a) In support of the accountability system which should be implemented five years later so that the Government can first improve the economy before reforming the government structure.	

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22. Hong Kong Information Technology Federation CB(2)1974/01-02(10)	<p>(a) In support of the accountability system;</p> <p>(b) Objects to the amalgamation of the Information Technology portfolio with that of Economic Services, which will compromise the development of information technology;</p> <p>(c) The existing Information Technology and Broadcasting Bureau should be preserved to form a new Science and Technology Development Bureau with the addition of the functions of the Innovation and Technology Commission under the purview of the existing Commerce and Industry Bureau;</p> <p>(d) In the event the Government should decide in the end to place Information Technology under Economic Development Bureau, then a post of Permanent Secretary should be created to be responsible for the area of information technology, and should incorporate the wording of “information” and “technology” into the name of the new policy bureau;</p>	<p>(f) The Government should strengthen the role of the Information Infrastructure Advisory Committee in assisting in the formulation and execution of policies.</p>

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	(e) The Government should consult the information technology industry regarding the re-organisation of bureaux with Information Technology related portfolios.		
23.	Friends of the Earth (Hong Kong) CB(2)1974/01-02(11)	(a) Opposes the amalgamation of the portfolios of Environment & Food and Health & Welfare, which will result in too wide an area of work for the new bureau, thereby undermining its ability to concentrate on the handling of environmental and conservation matters; (b) Should establish an independent bureau for environment and conservation.	(c) Government structure and advisory bodies should be reviewed in an objective and fair manner and with sufficient public consultation.
24.	The Conservancy Association CB(2)1974/01-02(12)	(a) Opposes the amalgamation of the portfolios of Environment & Food and Health & Welfare, which will result in the duties of the new bureau being too wide and undermine its ability to concentrate on the management of environmental and conservation affairs; and	

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		(b) Should establish an independent environment and resources bureau to coordinate works related to pollution, environmental protection, the ecosystem, heritage and culture, and conservation.	
25.	New Century Society Limited CB(2)1974/01-02(13)	(a) In support of the accountability system; (b) Should establish a monitoring mechanism for the accountability system; (c) Should establish an ad hoc department under CE to solve problems arising from the implementation of the accountability system; (d) Should establish an inter-departmental management body to coordinate the works related to environmental protection.	(e) Each principal official should be free to recruit four administrative support staff to assist his work.
26.	The King Chung Association CB(2)1974/01-02(14)	(a) In support of the implementation of the accountability system on 1 July 2002; and (b) The majority of public opinions are in favour of the accountability system.	

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27. Cultural and Recreational Services Centre CB(2)1974/01-02(15)	(a) In support of the accountability system; (b) The appointment of principal officials as ExCo members will facilitate the implementation of policies; and (c) In support of the proposed reorganisation of policy bureaux.	
28. Kowloon Women's Organisation Federation CB(2)2013/01-02(06)	(a) In support of the accountability system; (b) The accountability system is consistent with BL.	(c) The accountability system does not have significant impact on the recruitment, terms of employment, promotion, welfare and prospects of civil servants as a whole.
29. Alliance of Hong Kong Youth Groups CB(2)1974/01-02(16)	(a) In support of the implementation of the accountability system on 1 July 2002; (b) The appointment of principal officials as ExCo members will enable ExCo to develop its professionalism and arrive at more timely and rational decisions; (c) The scope of certain portfolios need to be followed-up by inter-bureaux and inter-departmental working groups;	(e) The delegation of powers by CE to principal officials, the separation of the latter from the civil service and the introduction of the accountability system is a milestone in the development of democracy in Hong Kong; (f) There is concern that the accountability system may not be put to effective practice if the majority of the Directors' posts are taken up by incumbent Secretaries;

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	<p>(d) The accountability system is incapable of improving the relationship between the executive and legislature.</p>	<p>(g) The accountability system will change the function of civil servants. Moreover, principal officials will review the staffing and structure of the policy bureaux and departments. As a result, the civil service system will suffer from a long unstable state;</p> <p>(h) The Directors of Bureau under the accountability system should establish a sound mechanism of communication and coordination with the civil servants who work under them; and</p> <p>(i) Should build up networks and think-tank bodies outside the Government to receive public views so as to raise the quality of the policies.</p>
<p>30. Hong Kong Youths Unified Association CB(2)1974/01-02(17)</p>	<p>(a) In support of the accountability system;</p> <p>(b) In support of the proposed legislative arrangement under which the accountability system will be implemented without incurring substantial public expenditure;</p>	<p>(e) Opposes to the creation of the posts of Permanent Secretary;</p> <p>(f) Should create two posts of Deputy Secretary to assist CS and Financial Secretary in the management of the relevant departments;</p>

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	<p>(c) It is doubtful whether the accountability system can improve the relationship between the executive and legislature;</p> <p>(d) The Manpower and Welfare portfolios should merge to become an Employment and Welfare Bureau.</p>	<p>(g) The number of principal officials should be changed so that there will be three Secretaries of Department, two Deputy Secretaries of Department and seven Directors of Bureau;</p> <p>(h) SCS should not be a political appointee and should be placed under the purview of the Deputy Chief Secretary; and</p> <p>(i) The post of Director of CE's Office should not be taken up by a civil servant.</p>
<p>31. Hong Kong United Youth Association CB(2)2013/01-02(07)</p>	<p>(a) In support of the implementation of the accountability system on 1 July 2002.</p>	
<p>32. Hong Kong Youth Association CB(2)1974/01-02(18)</p>	<p>(a) In support of the accountability system.</p>	<p>(b) The accountability system enables CE to have flexibility in selecting talents from the society to become principal officials to complement the existing civil service system and is conducive to the good governance of Hong Kong.</p>

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33. Tsuen Wan Youths Association CB(2)1974/01-02(19)	(a) In support of the accountability system; (b) Hong Kong's economy is changing rapidly. However, BL stipulates that the development of the political system will not be reviewed until 2007. Therefore, it is necessary to implement the accountability system as soon as possible to improve governance and to solve the economic problems. The implementation of the system should not be postponed until after the election of CE by universal suffrage; (c) With the monitoring of LegCo and the media, there will not be abuse of power by principal officials and CE.	(d) The existing civil service structure no longer meets the needs of society. The accountability system can enhance the efficiency of administration.
34. Tseung Kwan O Youth Association CB(2)1974/01-02(20)	(a) In support of the accountability system.	
35. Tuen Mun Youths Association CB(2)1974/01-02(21)	(a) In support of the accountability system;	(c) CE should consider appointing like-minded core figures of political parties and professionals as principal officials and make use of the media to facilitate the implementation of policies.

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		(b) In support of the election of CE by universal suffrage but BL stipulates that the political system will not be reviewed until 2007. It is necessary to implement the accountability system as soon as possible to improve governance and solve the economic problems.	
36.	Tai Hang Concern Association CB(2)1974/01-02(22)	(a) In support of the implementation of the accountability system on 1 July 2002.	
37.	Kwai Chung Residents Association CB(2)1974/01-02(23)	(a) In support of the accountability system.	
38.	Kwun Tong Residents Association CB(2)2013/01-02(08)	(a) The accountability system is consistent with BL.	(b) The accountability system will not undermine the morale and stability of the civil service, nor will it have significant impact on civil servants' employment, promotion and welfare.
39.	Sham Shui Po Residents Association CB(2)1974/01-02(24)	(a) In support of the implementation of the accountability system on 1 July 2002; and (b) In support of the reorganisation of 16 policy bureaux into 11.	

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40.	Kowloon City District Residents Association (no written submission provided)	(a) The accountability system is consistent with BL.	(b) The accountability system will not affect the civil servants. The Government will preserve the good tradition of the civil service; and (c) Principal officials and Permanent Secretaries will cooperate with each other wholeheartedly to improve the efficiency of administration.
41.	Lei Cheng Uk Residents Association CB(2)1974/01-02(25)	(a) In support of the accountability system.	
43.	The Association of the Hong Kong Central and Western District Limited CB(2)2013/01-02(09)	(a) In support of the implementation of the accountability system on 1 July 2002; and (b) Questions the amalgamation of Commerce and Industry with Manpower to become a policy bureau instead of merging Commerce and Industry with Economic Development as well as that of Manpower with Education.	

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44.	Causeway Bay Association Limited CB(2)1974/01-02(27)	(a) In support of the implementation of the accountability system on 1 July 2002. The Government should enhance publicity to dispel the misgivings among the public and it is not necessary to postpone the implementation date.	
45.	Kowloon Federation of Associations CB(2)1974/01-02(28)	(a) In support of the implementation of the accountability system on 1 July 2002; (b) If LegCo has the power to select and remove principal officials, the Hong Kong's political system will become legislature-led instead of executive-led and will contravene BL.	(c) There is concern that the politicalisation will bring along instability, compounded by the restriction of a 5-year term, it will be difficult to attract talents to join the Government. If nearly all posts of principal officials are taken up by incumbent civil servants, the accountability system will not be put into effective practice.
46.	New Territories Association of Societies CB(2)1974/01-02(29)	(a) In support of the implementation of accountability system on July 1 2002.	
47.	Joint Committee of Hong Kong Fisherman's Organizations CB(2)1974/01-02(30)	(a) Principal officials should not be removed on the passage of a no-confidence motion by LegCo since this will interfere with CE's power to appoint and remove senior officials and is not consistent with BL.	(b) The accountability system enables CE to select talents who share his political vision to become principal officials so as to improve the efficiency of administration.

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48. Hong Kong Fishermen's Association CB(2)1974/01-02(31)	(a) In support of the accountability system; (b) After the implementation of the accountability system, LegCo's role in monitoring and checking and balancing the power of CE and the Government of HKSAR will remain unchanged, nor will its power be weakened.	(c) The traditional system and culture of the civil service will be preserved under the accountability system. Except for the 14 principal officials, the roles of other civil servants will remain unchanged and the stability of the civil service will be maintained.
49. The Foochow Association (no written submission provided)	(a) In support of the accountability system ; and (b) The Government should assess the difficulties and problems that will arise in the implementation of the accountability system and tackle them in order to lessen the impact of the reform on the society and to ensure the successful implementation of the system.	

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50. Mr CHOW Hing CB(2)1974/01-02(32)	(a) In support of the implementation of accountability system on 1 July 2002; (b) To consolidate 16 policy bureaux into 11 will help improve the efficiency of administration but the Government should define clearly the functions of the various bureaux and their departments.	(c) The proposed remuneration of principal officials under the accountability system is acceptable but it should be reviewed regularly and adjusted in line with market pay trend.
51. Mr CHAN Sun CB(2)1974/01-02(33)	(a) In support of the accountability system; (b) The Government should make reference to the successful experience of other countries and consult various sectors of the community seriously with a view to establishing a rational administrative structure; and (c) To streamline the structure by consolidating the 16 existing policy bureaux into 11 will make the policy portfolios of various Directors more clear-cut, thus enhancing the efficiency of the Government.	

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52.	Mr CHU Chun-lok CB(2)1974/01-02(34)	(a) In support of the accountability system.	

Council Business Division 2
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