

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

List of Areas for Study

LegCo Paper on
Accountability System for
Principal Officials
provided by Constitutional
Affairs Bureau
(paragraph no. if relevant)

I. General issues

- | | |
|---|---------------------------|
| 1. Consistency with the Basic Law | 8 (a) |
| 2. Timing for implementing the proposed system | 2, 3, Annex A and Annex B |
| 3. Need for primary legislation to underpin the proposed system | - |
| 4. Constitutional relationship between the Chief Executive/principal officials/ Permanent Secretaries/LegCo | - |
| 5. Powers and functions of the Chief Executive and his accountability | - |
| 6. Relationship between the Central People's Government and principal officials | - |

II. Principal officials under the proposed system

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|--|---------|
| 1. Number of principal officials and their portfolios | 11 - 13 |
| 2. Inclusion of the Secretary for Justice in the proposed system | 14 & 17 |
| 3. The post of Secretary for the Civil Service | 18 - 19 |

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|-------------|---|---------|
| 4. | Functions and role of principal officials in the Executive Council | 13 |
| 5. | Functions and role of the Chief Secretary for Administration | 14 & 15 |
| 6. | Functions and role of the Financial Secretary | 14 & 16 |
| 7. | A Code similar to the United Kingdom "Ministerial Code" to specify the functions of principal officials and to regulate their conduct | - |
| III. | The function, composition and operation of the Executive Council | 13 |
| IV. | Splitting, merging and retention of Bureaux | 24 - 25 |
| 1. | Civil Service Bureau | 25 |
| 2. | Constitutional Affairs Bureau | 25 |
| 3. | Home Affairs Bureau | 25 |
| 4. | Security Bureau | 25 |
| 5. | Portfolios of Commerce & Industry and Manpower | 24(a) |
| 6. | Portfolios of Economic Services and Information Technology | 24(b) |
| 7. | Portfolios of Financial Services and Treasury | 24(c) |
| 8. | Portfolios of Environment & Food and Health & Welfare | 24(d) |
| 9. | Portfolios of Housing and Planning & Lands | 24(e) |
| 10. | Portfolios of Transport and Works | 24(f) |
| 11. | Education portfolio | - |

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| V. | Civil service under the proposed system | |
| 1. | Permanent Secretaries | 20 - 21 |
| 2. | The Civil Service | 23 |
| 3. | Need for a "Civil Service Code" similar to the one in the United Kingdom | - |
| 4. | McKinsey Report on Strengthening the Machinery of Government | - |
| VI. | Chief Executive's Office | 26 |
| VII. | Relationship between bureaux and departments | 34 - 37 |
| VIII. | Review of advisory and statutory bodies and other public bodies, implications of the proposed system on their roles and functions | 34 - 37 |
| 1. | Examples of these bodies include Hong Kong Monetary Authority, Radio Television Hong Kong, Securities and Futures Commission and Judicial Officers' Recommendation Commission. | - |
| IX. | Development and formulation of constitutional conventions | - |
| X. | Issues relating to appointment, employment and removal of principal officials | |
| 1. | The process of nomination and appointment and the entering into contract with the Government | 10 |
| 2. | Termination of contract and removal of principal officials | 12 |
| 3. | Integrity checking and medical examination | 46 |
| 4. | Employment package, including their remuneration | 38 - 44 |

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| (a) Impact on the Chief Executive and other comparable offices in the Judiciary, e.g. the Chief Justice | - |
| 5. Terms and conditions | 9 - 10 |
| 6. Administrative support | 45 |
| XI. Conflict of interest | 27 - 30 |
| XII. Arrangements for civil servants appointed as principal officials under the proposed accountability system | 47 - 48 |
| XIII. Transfer of statutory functions | 31 - 33 |
| 1. Draft resolution to be made under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) | Annex A |
| 2. Draft Interpretation and General Clauses Ordinance (Replacement of Schedule 6) Order 2002 | Annex B |
| XIV. Financial and staffing implications | 49 - 51 |

Council Business Division 2
Legislative Council Secretariat
26 April 2002

**Subcommittee to study the proposed
accountability system for principal officials and related issues**

Meeting schedule

| Date | Time | Venue |
|---------------------------|--------------------|-------------------|
| 29 April 2002 (Monday) | 8:30 am - 12:45 pm | Chamber |
| 3 May 2002 (Friday) | 8:30 am - 12:45 pm | |
| 7 May 2002 (Tuesday) | 8:30 am - 12:45 pm | |
| 10 May 2002 (Friday) | 8:30 am - 12:45 pm | |
| 11 May 2002 (Saturday) | 9:00 am - 1:00 pm | To be confirmed |
| 14 May 2002 (Tuesday) | 8:30 am - 12:45 pm | Chamber |
| 17 May 2002 (Friday) | 8:30 am - 10:30 am | Conference Room A |
| 18 May 2002 (Saturday) | 9:00 am - 1:00 pm | To be confirmed |
| 21 May 2002 (Tuesday) | 8:30 am - 12:45 pm | Chamber |
| 24 May 2002 (Friday) | 8:30 am - 12:45 pm | |
| 28 May 2002 (Tuesday) | 8:30 am - 12:45 pm | |
| 31 May 2002 (Friday) | 8:30 am - 12:45 pm | |

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