

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

**Issues raised at the meeting on 3 May 2002
requiring the Administration's response**

Transfer of statutory functions

- (1) In view of the fact that the proposed accountability system for principal officials would result in fundamental changes to the nature of their office when compared with that of current principal officials who are bureau secretaries, would the proposed transfer of statutory functions of the current bureau secretaries to secretaries to be appointed under the proposed new system be beyond what was intended by section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) when the provision was enacted? Would it be more appropriate and desirable to effect the proposed transfer of statutory functions by way of primary legislation so that the proposal could be scrutinised with the benefits of a full legislative process?

Constitutional conventions

- (2) To provide justifications for the Administration's assertion that constitutional conventions could only be established over a period of time through accumulation of precedents.