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Framework of accountability system for principal officials

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The Chief Executive, Mr Tung Chee Hwa, presented the framework of the accountability system for principal officials to the Legislative Council today (April 17).

The primary objectives of the system are: to strengthen the accountability of principal officials; ensure better response to the needs of the community; enhance coordination in policy formulation; strengthen the cooperation between the Executive and the Legislature; ensure effective implementation of policies and provide quality services to the public.

The Government aims to implement the new system on July 1 this year.

The major features of the accountability system are:

Terms and conditions

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A new system of employment will be introduced into the highest level of Government under the Chief Executive, namely the Secretaries of Department and the Directors of Bureau. These principal officials will be employed on terms and conditions different from those of the civil service.

Under the new system, the Chief Executive will nominate candidates of high personal integrity and ability from inside and outside the civil service for appointment by the Central People's Government as principal officials. They will not be civil servants and will be employed on contract. The term of their contract will not exceed the term of the Chief Executive, who nominates them for appointment.

Number and portfolios

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There will be a total of 14 principal officials under the new system comprising three Secretaries of Department and 11 Directors of Bureau. Their post titles are as follows:

Chief Secretary for Administration (CS)

Financial Secretary (FS)

Secretary for Justice (SJ)

Secretary for the Civil Service

Secretary for Commerce, Industry and Manpower

Secretary for Constitutional Affairs

Secretary for Economic Development

Secretary for Education

Secretary for the Environment, Health and Welfare

Secretary for Financial Services and the Treasury

Secretary for Home Affairs

Secretary for Housing, Planning and Lands

Secretary for Security

Secretary for Transport and Works

Principal officials under the accountability system will accept total responsibility and in an extreme case, they may have to step down for serious failures relating to their respective portfolios. They may also have to step down for grave personal



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misconduct or if they cease to be eligible under the Basic Law.

They will be appointed to the Executive Council and will be responsible for all aspects of their portfolios. The Secretaries of Department and Directors of Bureau will be directly responsible to the Chief Executive and they will have direct access to the Chief Executive. They will take part directly in the decision making process relating to the allocation of resources of the Government as a whole. They will have a strong say in the assignment of personnel working directly under them and the share of financial resources allocated to them. Their role and responsibility are as follows:

- \* to gauge public opinion and take societal interests into account in serving the community;
- \* to set policy objectives and goals, and develop, formulate and shape policies;
- \* to take part as a member of the Executive Council in all of the deliberations and decision making at the Executive Council and assume collective responsibility for the decisions made;
- \* to secure the support of the community and LegCo for their policy and legislative initiatives as well as proposals relating to fees and charges and public expenditure;
- \* to attend full sessions of LegCo to initiate bills or motions, respond to motions and answer questions from LegCo members;
- \* to attend LegCo committee, subcommittee and panel meetings where major policy issues are involved;
- \* to exercise the statutory functions vested in them by law;
- \* to oversee the delivery of services by the executive departments under their purview and ensure the effective implementation and successful outcome of policies; and
- \* to accept total responsibility for policy outcome and the delivery of services by the relevant executive departments.



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## Role of CS, FS and SJ

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CS, the most senior among the three Secretaries of Department available to deputize for the Chief Executive, will assist the Chief Executive in supervising the policy bureaux as directed by him and play a key role in ensuring harmonization in policy formulation and implementation. This is particularly important in areas which cut across policy bureaux.

CS will cover specific priority areas of the Chief Executive's policy agenda and will also be responsible for forging a closer and more effective working relationship with LegCo and for drawing up the Government's legislative programme. He will continue to exercise statutory functions vested in him by law, such as those concerning the handling of appeals and certain public bodies.

Likewise, FS will assist the Chief Executive in supervising relevant policy bureaux and in ensuring harmonization in policy formulation and implementation in the financial, economic and employment areas. He will also cover specific priority areas of the Chief Executive's policy agenda and will continue to exercise relevant statutory functions, for example, in respect of public finance and monetary affairs. He will be responsible for the Government budget in accordance with the Chief Executive's policy agenda.

SJ will continue to be the principal legal adviser to the HKSARG. In accordance with the Basic Law, SJ oversees the Department of Justice and controls criminal prosecutions free from any interference.

## Permanent Secretaries

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Under the new arrangements, there is a need to retain civil servants at D8 (directorate pay scale - point eight) rank in bureaux. They will work to their respective principal officials under the accountability system. They do not have to shoulder the public responsibility for the performance of the bureaux in the same way as new Directors of



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Bureau will. They will support their Directors of Bureau in running the relevant bureaux and departments. They will continue to front up in public and to attend meetings of LegCo panels and committees and deal with the media. Officers holding these posts will be re-titled as Permanent Secretaries.

#### The Civil Service

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The civil service will remain permanent, meritocratic and politically neutral. The system of appointment, posting, promotion and disciplinary action will remain unchanged. Civil servants will continue to put forward clear and honest advice on policy options formulated to their best abilities. Once decisions have been taken by the Chief Executive in Council or by the principal officials, civil servants will support the decisions, and will fully and faithfully implement decisions.

#### Transfer of Statutory Functions

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The implementation of the accountability system involves splitting or merging of the portfolios of the existing bureau secretaries. In such cases, there will be a need to transfer the respective statutory functions to the respective new principal officials. The necessary legislative amendments will need to come into force on July 1, 2002.

#### Employment package

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The cash remuneration package for principal officials under the accountability system will be in the region of \$3.74 million, \$3.87 million, \$4.01 million and \$4.15 million per annum for Directors of Bureau, SJ, FS and CS respectively.

In the event that civil service salaries are cut later this year, the remuneration of principal officials under the accountability system will be adjusted accordingly.

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