

政府總部  
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19 July 2005

Dr Hon YEUNG Sum  
Chairman  
Subcommittee on Application of Certain Provisions of  
the Prevention of Bribery Ordinance to the Chief Executive  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

Dear Dr Yeung,

**Application of Certain Provisions of  
the Prevention of Bribery Ordinance (POBO) to the Chief Executive**

Thank you for your letter of 12 July 2005 inviting the Chief Executive to attend the next meeting of the Subcommittee to be held on 21 July 2005. The Chief Executive has asked me to reply on his behalf.

At the Subcommittee's meeting on 11 July and also in your letter, Members asked the Administration to give an early and clear policy indication as to whether the Chief Executive should be subject to the standards of bribery prevention applicable to government servants under the POBO, and whether the Administration would adopt legislative means to this effect.

As we explained at meetings of the LegCo Panel on Constitutional Affairs and recently to the Subcommittee, there are complex constitutional and legal issues involved in considering the legislative approach to subject the Chief Executive to the same POBO provisions applicable to 'prescribed officer' under the Ordinance. Notwithstanding this, the Administration will conduct a comprehensive review of these issues and undertakes to revert to the Subcommittee with a final decision in the new legislative session commencing October.

The Chief Executive and the Chief Secretary for Administration advise us that they would not be able to attend the Subcommittee meeting due to other commitments. Rather, they have asked the Administration Wing to continue to participate in the Subcommittee's deliberations and listen to Members' views. In this light, we will attend the meeting on 21 July on the Administration's behalf and will keep the Chief Executive and senior officials informed of Members' views.

Yours sincerely,



( Ms CHANG King-yiu )  
Director of Administration