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21 June 2005

Mr Stephen LAM Sui-lung
Secretary for Constitutional Affairs
Constitutional Affairs Bureau
3rd floor Main and East Wings
Central Government Offices
Hong Kong

Dear Mr LAM,

Panel on Constitutional Affairs

Follow up to meeting on 20 June 2005

Remuneration and post-office arrangements for the Chief Executive

At the Panel meeting on 20 June 2005 when the above subject was discussed, members raised a number of issues. The Administration is requested -

Post-office restrictions

- (a) to provide the main provisions of the written undertaking signed by each CE to signify agreement to abide by the post-office restrictions;
- (b) to explain how the undertaking is legally enforceable and whether a breach of the undertaking will constitute a criminal offence;
- (c) to explain the mechanism for handling cases of non-compliance, including the body responsible for conducting the investigation, and the sanctions to be imposed against a former CE in case of any wrongdoing;
- (d) to provide information on the sanctions imposed on former government leaders in overseas countries for failure to comply with post-office restrictions, and whether the sanctions are comparable to those recommended by the Independent Commission;

Services for former CEs

- (e) to provide a comparison on the scope and duration of the package of post-office services recommended for future CEs and those provided to former government leaders in overseas countries. Some members consider that post-office services such as office accommodation, administrative support, security protection and car with a driver should not be provided on a life-long basis, and should only be provided on a need basis, e.g. to facilitate the participation of a former CE in public services. Some members enquire whether each former CE will be provided with a personal assistant and a car with driver;

Official residence

- (f) to provide information on details of the works involved in renovating the Government House as an official residence for the new CE, and the budget involved; and

Services provided to Mr TUNG Chee-hwa

- (g) to provide further information on the need to provide post-office services to Mr TUNG, i.e. the nature of official business undertaken by Mr TUNG after he vacated the office of CE, and the Police assessment of the need for security protection for Mr TUNG.

I should be grateful for the Administration's response, in particular the information relating to the written undertaking signed by CEs, **as soon as possible**. Please provide the bilingual response in Adobe Acrobat (i.e. xxx.pdf) format via e-mail (ftsang@legco.gov.hk).

With best regards,

Yours sincerely,

(Mrs Percy MA)
Clerk to Panel