

立法會
Legislative Council

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Establishment Subcommittee of the Finance Committee

**Minutes of the 5th meeting
held at Conference Room A
on Thursday, 1 June 2006, at 10:45 am**

Members present:

Hon LI Fung-ying, BBS, JP (Chairman)
Hon KWONG Chi-kin (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon CHEUNG Man-kwong
Hon SIN Chung-kai, JP
Hon WONG Yung-kan, JP
Hon Howard YOUNG, SBS, JP
Hon WONG Kwok-hing, MH
Hon WONG Ting-kwong, BBS

Members absent:

Dr Hon David LI Kwok-po, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon MA Lik, GBS, JP
Dr Hon KWOK Ka-ki
Hon Patrick LAU Sau-shing, SBS, JP

Public Officers attending:

Miss Amy TSE, JP	Deputy Secretary for Financial Services and the Treasury (Treasury)
Miss Jennifer MAK, JP	Deputy Secretary for the Civil Service

Mr Alfred FOK	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Mr Michael WONG, JP	Deputy Secretary for Security
Mr Alan LO	Principal Assistant Secretary for Security
Mr K C CHOW, IDSM	Acting Director of Immigration
Mr Raymond WONG, IMSM	Assistant Director of Immigration (Information Systems)
Mr Thomas CHOW, JP	Acting Permanent Secretary for the Environment, Transport and Works (Transport)
Mr Patrick HO	Deputy Secretary for the Environment, Transport and Works (Transport)
Mrs Marion LAI, JP	Deputy Secretary for Commerce, Industry and Technology (Communications and Technology)
Mr Eddie CHEUNG	Principal Assistant Secretary for Commerce, Industry and Technology (Communications and Technology)

Clerk in attendance:

Ms Rosalind MA	Senior Council Secretary (1)8
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Staff in attendance:

Ms Pauline NG	Assistant Secretary General 1
Ms Guy YIP	Council Secretary (1)1
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Mr Frankie WOO	Legislative Assistant (1)2

Action

The Chairman drew members' attention to the information paper No. ECI(2006-07)3 provided by the Administration on the changes in directorate establishment approved since 2002. According to the Administration, the changes arising from the three proposals to be considered at the meeting, if endorsed, would result in a net increase of one permanent post (by making permanent an existing supernumerary post) and one supernumerary post.

EC(2006-07)5 Proposed creation of one permanent post of Chief Systems Manager (D1) in Immigration Department with effect from 1 November 2006 to head the Technology Services Division and to support the development and implementation of the information technology strategic plans on an on-going basis

2. The Chairman informed members that the Panel on Security was consulted on the proposal at the meeting on 2 May 2006.

3. Mr WONG Ting-kwong said that Members of the Democratic Alliance for the Betterment and Progress of Hong Kong supported the staffing proposal. He sought information on the development of information technology (IT) applications and other advanced technologies for the service delivery of the Immigration Department (ImmD).

4. In reply, the Assistant Director of Immigration (Information Systems) (AD of Imm (Info Sys)) advised that IT development in ImmD was taken forward in a progressive and coordinated manner to achieve synergy through well-defined Information Systems Strategy (ISS) plans, with the first ISS implemented fully in 1995 and the updated ISS (ISS-2) to be completed by 2007. By way of illustration, he said that under ISS-2, smart identity cards and e-channels were introduced by stages. Moreover, with the installation of the Application and Investigation Easy System in 2006-07, applications for visas, births, deaths and marriage registration etc. could be submitted through electronic means. ImmD had commenced planning for the third round of ISS study to keep Hong Kong on a par with the international trend of enhancing service delivery through electronic means.

5. Noting that the current staffing proposal had been included in the forecast of civil service directorate proposals in the 2005-06 legislative session provided to the Establishment Subcommittee (ESC) in November 2005 (ECI(2005-06)6) and the operational requirement of ImmD for the continued support of the Chief Systems Manager (CSM) for planning, managing and coordinating its IT related activities, Mr Howard YOUNG said that Members of the Liberal Party supported the staffing proposal. Mr YOUNG however expressed concern about the efficiency of the Automated Vehicle Clearance (AVC) System at the Lok Ma Chau (LMC) Control Point. Noting the long queues of vehicles at the AVC lanes, Mr YOUNG doubted whether longer processing time was required for the self-service immigration clearance system compared with that of manual clearance. In this connection, Mr YOUNG sought information on measures to be put in place to expedite the processing at AVC lanes.

6. In response, AD of Imm (Info Sys) explained that at present, the AVC System enable self-service clearance for drivers of private cars but was not intended for passengers on board. Immigration clearance for passengers inside the car had to be done manually and the process would take longer where more passengers were involved, in particular if some of them were not permanent residents of Hong Kong. AD of Imm (Info Sys) advised that the Administration was vigorously exploring ways to expedite the passenger clearance at AVC lanes, such as by using biometric

identification technologies, and test of the possible solutions would be carried out in the latter half of 2006.

7. To facilitate immigration clearance at control points, Mr WONG Ting-kwong considered that management of order should be enhanced by non-provision of clearance services to visitors at kiosks reserved for Hong Kong residents travelling on private cars. Mr James TIEN concurred and opined that similar arrangements of assigning different kiosks for residents and visitors were commonly adopted at immigration control points in the Mainland and other countries. Mr TIEN urged the Administration to tighten up the implementation of such arrangements at control points to prevent abuse by passengers.

8. The Deputy Secretary for Security (DS(S)) explained that while clearance services might still be provided to visitors despite their misuse of counters reserved for Hong Kong residents, they would be reminded to use the appropriate counters in the future. As far as clearance at vehicular control points was concerned, DS(S) pointed out that requesting vehicles in the wrong lanes to drive away and queue up again might not be desirable in all circumstances and might sometimes cause more disruptions. He nevertheless assured members that the Administration would continue to monitor the operation of the clearance control points and take actions to enhance passenger and vehicular traffic flows, where appropriate.

9. Mr Howard YOUNG suggested that the Administration should consider the flexible practice adopted by the Mainland authority at the Huanggang Control Point which allowed private vehicles to drop off their passengers for clearance and then pick them up after completion of the clearance process. This would effectively relieve the pressure for manual clearance of passengers at the AVC lanes. In reply, DS(S) said that given the existing scale and design constraints of the LMC Control Point, the loading bays could only cope with passengers of public transport (including "yellow-buses" and cross-boundary buses) but did not have spare capacity to accommodate additional demand from private vehicles. He pointed out that more AVC lanes would be provided at the new control point at the Shenzhen Western Corridor.

10. Mr WONG Ting-kwong pointed out that the increase in vehicular traffic flow at the LMC Control Point was partly due to the increasing number of private cars e.g. seven-seater van, being used as cross-boundary transport for passengers. In response, DS(S) said that the Hong Kong Special Administrative Region Government (HKSARG) and the Shenzhen authority were jointly exploring measures to tackle the problem of illegal cross-boundary passenger transport services at the LMC Control Point.

11. Pointing out that the existing process for residents of some countries to apply for a visa to visit Hong Kong could take a rather long time, Mr Howard YOUNG opined that the application procedures should be streamlined, probably through greater use of electronic technologies. DS(S) advised that at present, residents of over 40 foreign countries were required to apply for visas for visiting Hong Kong. He assured members that the HKSARG, in collaboration with Chinese

consulates overseas, had kept the visa application procedures under review from time to time to explore possible ways, including electronic means, to further reduce the processing time of visa applications.

12. Mr WONG Kwok-hing said that Legislative Council (LegCo) Members of the labour constituency were in support of the Administration's proposal. Mr WONG was concerned whether the current proposal would set a precedent for other bureaux/departments to put forward proposals to create a dedicated CSM post on a permanent basis in departments taking on new projects.

13. DS(S) advised that as far as he knew, only a number of bureaux/departments had created permanent CSM posts dedicated for the development of their IT related activities, such as the Education and Manpower Bureau, the Hong Kong Police Force and the Inland Revenue Department. He assured members that the Administration exercised stringent scrutiny on the operational needs of the staffing proposals before putting forward any of them to ESC for consideration.

14. Mr SIN Chung-kai said that Members of the Democratic Party supported the staffing proposal. Mr SIN suggested that the Administration should consider allocating resources for installation of necessary equipment for broadcasting of publicity programmes in the clearance halls. Mr SIN pointed out that visitors would benefit from the useful information about Hong Kong through the programmes and make good use of their waiting time as well. DS(S) thanked Mr SIN for his suggestion and undertook to explore the feasibility of the arrangement accordingly.

Admin

15. The item was voted on and endorsed.

EC(2006-07)6 Proposed retention of two supernumerary posts of one Administrative Officer Staff Grade B (D3) and one Administrative Officer Staff Grade C (D2) in the Transport Branch of the Environment, Transport and Works Bureau of Government Secretariat for 12 months from 1 July 2006 to 30 June 2007 to follow through the implementation of the proposed merger of the Mass Transit Railway and Kowloon-Canton Railway systems

16. The Chairman informed members that the Panel on Transport was consulted on the proposal at the meeting on 28 April 2006.

17. Pointing out that the two supernumerary directorate posts proposed for extension under the current proposal were created in 2004 by offsetting two permanent posts of directorate engineer posts upon the amalgamation of the Civil Engineering Department (CED) and the Territory Development Department (TDD), Ir Dr Raymond HO reiterated his concern about the offsetting arrangement. Ir Dr HO recalled that when the staffing proposal was put up in early 2004, he had

questioned the rationale for the Administration to create two supernumerary Administrative Officer (AO) posts, instead of deploying the existing officers of the engineering profession in CED and TDD to take up the duties relating to the possible merger of the Mass Transit Railway Corporation Limited and Kowloon-Canton Railway Corporation. He was of the view that professional engineers were equally competent in undertaking duties relating to the possible merger. He was dissatisfied with the justification given by the Administration for creating AO posts for the duties, which in his view was to imply that the engineering grade could not take up such duties. Hence an insult to the engineering grade. While he would not object to the current proposal, he requested the Administration to refrain from putting forward any such justifications in future.

18. The Permanent Secretary for the Environment, Transport and Works (Transport) (PST) noted Ir Dr HO's view and explained that the Administration's objective was to identify officers with suitable skills and experience for the duties required of the posts. He clarified that it had never been the intention of the Administration to be disrespectful to any professional grades in the proposed creation of the two supernumerary AO posts in 2004.

19. Noting that the Administration proposed to retain the two posts for a period of 12 months up to 30 June 2007, Mr James TIEN enquired about its plan in the event that the merger exercise could not be completed before the expiry of the extended period. In response, PST pointed out that as considerable discussions with various stakeholders had been conducted on issues related to the merger in the past two years, the Administration envisaged that the two posts would only be required up to 30 June 2007. Nevertheless, subject to the progress of the legislative process and the merger implementation, the Administration would seek the approval of ESC for further extension or early deletion of the two posts, where necessary.

20. The item was voted on and endorsed.

EC(2006-07)7 Proposed creation of one supernumerary post of Administrative Officer Staff Grade B (D3) in the Communications and Technology Branch of the Commerce, Industry and Technology Bureau of Government Secretariat for a period of six months from 10 August 2006 to 9 February 2007 to provide continued directorate support for the work of the Committee on Review of Public Service Broadcasting

21. The Chairman informed members that the Panel on Information Technology and Broadcasting (ITB Panel) was consulted on the proposal at the meeting on 8 May 2006.

22. As Chairman of the ITB Panel, Mr SIN Chung-kai said that the Panel had no objection to the Administration's proposal to retain the supernumerary Administrative Officer Staff Grade B (AOSGB) post for six months up to 9 February 2007 to provide continued support to the Committee on Review of Public Service

Broadcasting (the Committee).

23. Pointing out that the review of public service broadcasting (PSB) was expected to be completed by the end of 2006, Mr WONG Ting-kwong opined that the Administration should make suitable arrangements for deletion of the supernumerary post before its expiry in February 2006 if the work relating to the review had been completed.

24. In reply, the Deputy Secretary for Commerce, Industry and Technology (Communications and Technology) (DS(CT)) explained that while the review was expected to be completed by the end of 2006, it was necessary to allow time for the incumbent of the AOSGB post, designated as Secretary to the Committee, to attend to any necessary follow-up work after the submission of the review report. The Administration therefore proposed to retain the post for a period of about one month after the completion of the review, i.e. up to 9 February 2007. DS(CT) took note of Mr WONG Ting-kwong's concern and undertook to keep under review the requirement of the post having regard to the progress of the Committee's work.

Admin

25. Noting that the supernumerary AOSGB post was created under delegated authority for a period of six months in February 2006 following the appointment of the Committee by the Chief Executive on 17 January 2006, Mr James TIEN queried why the Administration had failed to envisage the exact duration required of the post in the first place. In this connection, Mr TIEN enquired about the reasons for the extension and whether such extension was required as a result of any subsequent changes to the work of the Committee, such as the scope of the review.

26. In reply, DS(CT) advised that the Committee was tasked to conduct a fundamental and critical review of PSB in Hong Kong with a view to providing the Administration with recommendations for arriving at a clear policy framework that provided both the vision and specific plans for future development of PSB. While the Administration had initially estimated that about nine to ten months would be required for conducting the review, the Committee had subsequently advised that in the light of the review progress, it was expected that the review would be completed by the end of 2006 instead of in October 2006 as originally expected. The current proposal for extension of the post until 9 February 2007 was therefore put forward to provide continued support for the Committee.

27. Noting the Administration's initial estimation of the time required for conducting the review, Mr James TIEN wondered why it had proceeded with creation of the supernumerary AOSGB post under delegated authority for a period of six months. As there was no major change to the work of the Committee since its appointment in January 2006, Mr TIEN queried whether the exercise of delegated authority for the creation of the post followed by the current proposal for extension was the Administration's attempt to circumvent the procedures for seeking the LegCo's approval of directorate staffing proposals.

28. In reply, DS(CT) stressed that the Administration was mindful of the established procedures for seeking LegCo's approval for directorate staffing

proposals. Given the lead time required for the procedures and the imminent need for early commencement of the review, the Administration had created the supernumerary AOSGB post under delegated authority to provide staffing support to the Committee. Having critically reviewed the operational requirement of the post and the progress of the review, the Administration considered that a dedicated, full-time AOSGB was required to support the Committee's work until the completion of the review. The current proposal was therefore put forward to seek the LegCo's approval for retaining the post for another six months.

29. Mr James TIEN did not subscribe to the Administration's explanation and expressed grave concern about the exercise of delegated authority by bureaux/departments. In this connection, Mr TIEN urged the Financial Services and the Treasury Bureau and the Civil Service Bureau (CSB) to act as gatekeepers in monitoring the creation of supernumerary directorate posts under delegated authority by bureaux/departments.

30. Mr KWONG Chi-kin shared Mr TIEN's view. While not having any strong views on the duration of the supernumerary post, Mr KWONG disagreed with the Administration's arrangement of creating the post initially under delegated authority and seeking the LegCo's approval for extension afterwards. Referring to the similar arrangement in another staffing proposal put forward by the Administration to the Panel on Manpower at the meeting on 30 May 2006 for creation of a supernumerary directorate post for the Employees' Retraining Board, Mr KWONG pointed out that the current proposal was not an isolated case. He considered that by adopting such an arrangement, the Administration had in effect deprived the LegCo of its power in scrutinizing staffing proposals and turned it into a rubber stamp. He cautioned that he might not support similar staffing proposals put forward by the Administration in the future.

31. Mr Howard YOUNG expressed similar views. Given that the review had attracted wide public concern and the ITB Panel had conducted an overseas duty visit to study the subject of PSB in April 2006, Mr YOUNG was of the view that the Administration should have envisaged that the review could not be completed in six months and should have started the procedures to seek approval of the LegCo for creation of the supernumerary post, say for one year, at the initial stage of the review.

32. The Deputy Secretary for the Civil Service (DS(CS)) explained that the Administration was fully aware of the LegCo's role in scrutinizing and approving directorate staffing proposals. CSB would examine each and every request from bureau/department for creation of supernumerary post under delegated authority in a cautious and prudent manner. Bureaux/departments concerned had to justify the urgent operational requirement for the posts when putting up their requests. She advised that there was a need for the Administration to have the flexibility to create supernumerary posts under delegated authority to meet imminent operational needs under special circumstances, but that in exercise of this authority, the Administration would examine each and every proposal based on merits of the individual case.

33. Pointing out that the membership list of the Committee had been released by the media in November 2005, Mr SIN Chung-kai was of the view that the Administration's plan for the review was in place well before the appointment of the Committee. As such, the Administration should have ample time to go through the established procedures for seeking the LegCo's approval for creation of the supernumerary post if it so wished.

34. Mr James TIEN considered that supernumerary post should only be created under delegated authority for meeting unforeseeable and urgent operational requirements for less than six months. He therefore maintained his view that creation of the supernumerary AOSGB post under delegated authority to support the work of the Committee did not meet the criteria for exercising the authority and should not have been created in the first place. In this connection, Mr TIEN sought clarification on the guidelines and/or restrictions governing the exercise of the delegated authority.

35. In reply, DS(CS) explained that subject to the approval of the Secretary for the Civil Service (SCS), Controlling Officers might exercise delegated authority for creation of supernumerary directorate posts for a period not more than six months under different circumstances. For example, to undertake ad hoc tasks with operational requirements of less than six months or for urgent tasks with possible longer operational requirement subject to review by the Controlling Officers concerned. In the latter case, if the Controlling Officers considered it necessary to retain the supernumerary posts beyond the six-month period, they must give full justifications to the satisfaction of both the relevant policy Secretary and SCS, before a submission would be made to ESC for consideration.

36. In response to Mr James TIEN's further enquiry on the timing of consultation with the ITB Panel, DS(CT) explained that as the actual timeframe for completion of the review had to be determined by the independent Committee, the Administration could only consult the ITB Panel after the Committee had formulated its work plan. The Committee could only do so after it had settled down in its job and taken a critical review of the tasks ahead of them.

37. Referring to Mr TIEN's enquiry about the limitations imposed by the Administration in exercising the delegated authority, the Assistant Secretary General 1 (ASG1) advised that the matter had been raised at previous meetings. On those occasions, members were particularly concerned about how far the Finance Committee (FC) could disagree with the proposed ranking of the supernumerary posts when the posts had been created for some months and the posts were already filled. To facilitate members' consideration of similar staffing proposals for extension of supernumerary posts created under delegated authority in the future, ASG1 undertook to liaise with the Administration and retrieve records on relevant discussions for members' reference.

38. In response to the request of Mr WONG Kwok-hing and the Chairman, the Administration undertook to provide the following information before the next

ESC meeting scheduled for 14 June 2006 -

- (a) The existing mechanism governing the creation of supernumerary directorate posts under delegated authority, including the guidelines for Controlling Officers in exercising the delegated authority; and
- (b) Supernumerary directorate posts created/to be created under delegated authority in the 2005-06 legislative session, including the number, rank and purposes of the posts as well as information on those posts which had been/would be subsequently put up to ESC/FC for further retention.

(Post-meeting note: Information required in paragraphs 37 and 38 was issued to members and all other FC members vide LC Paper No. ESC32/05-06 on 13 June 2006.)

- 39. The item was voted on and endorsed.
- 40. The Subcommittee was adjourned at 11:41 am.

Council Business Division 1
Legislative Council Secretariat
22 June 2006