

**Replies to initial written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2006-07**

**Controlling Officer : Commissioner, Independent Commission Against
Corruption
Session No. : 7**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
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ICAC002	1447	TAM Heung-man	72	Operations
ICAC003	2283	TO Kun-sun, James	72	Operations
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Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 001

Head: 72 – Independent Commission Against Corruption Subhead (No. & title): –

Question Serial No.

Programme: 2 – Operations

1446

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : Based on the decrease in the actual number of investigations completed (from 2,818 in 2004 to 2,731 in 2005), and also the decrease in the number of persons prosecuted (from 417 in 2004 to 348 in 2005) and persons convicted (from 297 in 2004 to 263 in 2005), why is there an increase of \$22.9 million over the 2006-07 Estimate over the Revised Estimate of 2005-06?

Asked by : Hon TAM Heung-man

Reply : Under Programme 2 on Operations, there is an increase in provision of \$22.9 million for 2006-07 over the revised estimate for 2005-06. The increase is mainly attributed to the salary requirement for the filling of vacancies, increments for staff and 13 newly created posts to enhance the ICAC's financial investigation capability, and firearms, physical fitness and self-defence training. The increase in provision is to meet ICAC's actual operational requirements.

ICAC's law enforcement work covers many aspects. Apart from investigations and prosecutions, we also conduct intelligence collection and analysis. In fighting corruption, we deploy proactive strategy which has proved effective in preventing and deterring corruption. ICAC's law enforcement workload, therefore, cannot be measured solely by the number of investigation cases completed and the number of persons prosecuted and convicted. Given the increasing use of advanced information technology and financial techniques by offenders to conceal crimes and evidences in recent years, and the facilitation of the transfer of funds due to globalisation of economic activities, corruption cases are fast gaining in complexity. These coupled with the high threshold required by the courts in the admissibility of evidence have added to the difficulty of and the time and manpower resources required for our investigation work.

The reduction in the number of persons prosecuted and convicted is mainly due to the decrease in the number of cases involving multiple defendants (defined as 10 persons or more) in 2005, with only 2 cases involving 33 persons. Compared with six cases involving multiple defendants totalling 81 persons in 2004, there is a drop of 48 persons.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 9 March 2006

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 002

Head: 72 – Independent Commission Against Corruption Subhead (No. & title): –

Question Serial No.

Programme: 2 – Operations

1447

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : Has the ICAC conducted any review on the efficient use of resources and operational efficacy?

Asked by: Hon TAM Heung-man

Reply : The ICAC constantly reviews its operational efficacy and use of resources with a view to seeking improvements thereby ensuring effectiveness and professionalism in operational work. In the past few years, we have conducted reviews of our organisational structure, manpower requirements and work procedures. We have also conducted a full review of our standing orders on working practices to enhance supervision and improve the quality of investigations. These reviews have resulted in organisational re-structuring, manpower re-deployment, and streamlining of work procedures to ensure the efficiency and effectiveness of frontline operations. In addition, we have also examined the training requirements of investigators and developed new plans that would intensify the professional training for these officers with a view to strengthening their overall investigating capability.

The ICAC will conduct reviews as appropriate after its operations in order to ascertain the efficacy of its work and to timely surface areas that require improvement. These will provide reference for later operations work.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 10 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 003

Head: 72 – Independent Commission Against Corruption Subhead (No. & title): –

Question Serial No.

Programme: 2 – Operations

2283

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : (a) Please set out the establishment of the Technical Services Division by rank and the resources allocated to the Division for 2006-07.

(b) Please provide a detailed list of the work undertaken by the Technical Services Division in 2005-06, including the types of support services it has provided.

Asked by: Hon TO Kun-sun, James

<u>Reply</u> : (a) <u>Establishment</u>	<u>2006-07</u>
Senior Commission Against Corruption Officer	2
Commission Against Corruption Officer (Upper)	6
Commission Against Corruption Officer (Middle/Lower)	24
Assistant Commission Against Corruption Officer	21
Senior Personal Secretary/Personal Secretary II	2
Clerical Assistant/Workman II	<u>2</u>
	57
<u>Resources (\$M)</u>	25.120
Personal Emoluments	<u>3.405</u>
General operational equipment, consumables, maintenance services, etc.	28.525

(b) The main role of the Technical Services Division is to provide technical support to the Operations Department of the ICAC in the investigation of corruption. To disclose details of its work will inevitably compromise the efficiency and effectiveness of the ICAC investigative work. It is hence not in the public interest to disclose such details.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 9 March 2006

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

ICAC 004

Head: 72 – Independent Commission
Against Corruption

Subhead: 103 – Rewards and
Special Services

Question Serial No.

Programme: 2 – Operations

2284

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question :

- (a) In 2005-06, were resources allocated from Subhead 103 to pay for the expenditure of the Technical Services Division? If positive, what were the number of occasions and the amounts involved?
- (b) For 2006-07, what is the estimated amount of resources for such purpose? Is the Technical Services Division subject to any expenditure approval limit in the use of provision under Subhead 103? If positive, what is the limit and how is it compared with that for 2005-06?

Asked by: Hon TO Kun-sun, James

Reply : Subhead 103 caters for expenditure on rewards and procurement of special services and equipment of a confidential nature, including expenditure incurred by the Technical Services Division for supporting the work of the ICAC. The expenditure is based on actual requirement. As this subhead provides an essential source of funding for covert operational activities and intelligence gathering, disclosure of such expenditure details is not appropriate.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 9 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 005

Head: 72 – Independent Commission
Against Corruption

Subhead: 103 – Rewards and
Special Services

Question Serial No.

2285

Programme: 2 – Operations

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question:

- (a) Please provide the amount of expenditure in 2003-04, 2004-05 and 2005-06 in respect of information obtained from abroad in connection with investigations and enquiries as well as the overseas places involved.
- (b) Please provide the amount of expenditure in 2003-04, 2004-05 and 2005-06 in respect of information obtained locally in connection with investigations and enquiries.
- (c) Of the proposed provision for 2006-07, what is the estimated percentage to be spent in respect of information obtained from abroad in connection with investigations and enquiries?

Asked by: Hon TO Kun-sun, James

Reply: Subhead 103 caters for expenditure on rewards and procurement of special services and equipment of a confidential nature. This subhead provides an essential source of funding for covert operational activities and intelligence gathering. Disclosure of such expenditure details is not appropriate.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 7 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 006

Head: 72 – Independent Commission
Against Corruption

Subhead : 103 – Rewards and
Special Services

Question Serial No.

2286

Programme: 2 – Operations

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : Concerning this Subhead, please provide the following details for 2005-06 :

- the rank of officers who have conducted surprise inspections on the expenditure under this Subhead;
- the number of inspections conducted; and
- the number of occasions when irregularity was discovered.

Asked by: Hon TO Kun-sun, James

Reply : The ICAC exercises strict control over the expenditure under Subhead 103 'Rewards and Special Services'. All claims under the subhead are scrutinized by senior officers. Apart from the inspections carried out by the Director of Audit, the Commissioner, the Head of Operations and the Assistant Director (Administration) also conducted surprise inspections on the accounts of this Subhead. In 2005-06, eight surprise inspections were carried out with no anomalies found.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 7 March 2006

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

ICAC 007

Head: 72 – Independent Commission
Against Corruption

Subhead : 103 – Rewards and
Special Services

Question Serial No.

2287

Programme: 2 – Operations

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

- Question : (a) What is the number of persons who received rewards/special services fee in 2005-06 and the number of cases involved? Please state the number of occasions on which rewards/special services fee were provided and the actual amount of such expenditure.
- (b) Please list out the cases attracting wanted persons rewards, the amount of rewards offered, the number of occasions where payments were made, the actual expenditure and the number of rewards recipients in 2005-06.
- (c) Under Subhead 103, what was the expenditure for procurement and maintenance of equipment in 2005-06?
- (d) Of the provision of \$15,268,000 under Subhead 103 for 2006-07, how much will be allocated for rewards on wanted persons, and how much for procurement and maintenance of equipment?

Asked by: Hon TO Kun-sun, James

Reply : Subhead 103 Rewards and Special Services caters for expenditure on rewards and procurement of special services and equipment of a confidential nature. This subhead provides an essential source of funding for covert operational activities and intelligence gathering. Disclosure of such expenditure details is therefore not appropriate.

As at 6 March 2006, the expenditure of Subhead 103 was \$12.974M. There were 205 occasions on which reward payments were provided, but there was no case involving reward on wanted persons.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 9 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 008

Head: 72 – Independent Commission Against Corruption Subhead: –

Question Serial No.

Programme: 2 – Operations

2288

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : (a) During the past year, on how many occasions did ICAC officers visit the Mainland for investigation or testifying in court? Please state the number of such cases and the expenditure incurred.

(b) When testifying in court in the Mainland, were these ICAC officers required to give evidence? If yes, how many cases were involved?

Asked by: Hon TO kun-sun, James

Reply : (a) In 2005-06 (up to 6 March 2006), ICAC officers made 25 visits to the Mainland involving 12 cases for the purpose of investigation. The total expenditure involved was \$305,626, mainly for the payment of travelling expenses, board and lodging incurred by the officers concerned.

(b) In 2005-06, no ICAC officer was required to give evidence in Mainland courts.

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 9 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

ICAC 009

Head: 72 – Independent Commission Against Corruption Subhead (No. & title): –

Question Serial No.

Programme: 2 – Operations

2289

Controlling Officer: Commissioner, Independent Commission Against Corruption

Director of Bureau: Commissioner, Independent Commission Against Corruption

Question : On the increase of manpower for the Financial Investigation Section, please set out the establishment of the Section by rank for 2005-06, as well as the proposed number of additional staff by rank for 2006-07.

Asked by: Hon TO Kun-sun, James

Reply : The establishment of the Financial Investigation Section for 2005-06 and 2006-07 is as follows:

<u>Rank</u>	<u>2005-06</u>	<u>2006-07 (Estimate)</u>	
	<u>Establishment</u>	<u>Additional Staffing</u>	<u>Establishment</u>
Commission Against Corruption Officer (Upper)	1	1	2
Commission Against Corruption Officer (Middle/Lower)	5	4	9
Assistant Commission Against Corruption Officer	6	6	12
Confidential Assistant	1	0	1
Clerical Assistant	1	0	1
Total	14	11	25

Signature : _____

Name in block letters : Raymond H C Wong

Post title : Commissioner, ICAC

Date : 7 March 2006

