

**Bills Committee on
Independent Police Complaints Council Bill**

**Response to issues raised at the Bills Committee meeting
held on 23 November 2007**

Purpose

This paper provides information in response to the issues raised by the Bills Committee at its meeting held on 23 November 2007.

The IPCC and other statutory bodies

To provide a list of all statutory bodies in Hong Kong and a comparison between the proposed statutory Independent Police Complaints Council (IPCC) and six similar statutory bodies as well as the Securities and Futures Commission, the Equal Opportunities Commission, the Office of The Ombudsman and the Office of the Privacy Commissioner for Personal Data, setting out their functions, the honorarium for members, workload of members, financial provision, manpower establishment and caseload of the respective secretariats

2. Statutory bodies are established to perform specific functions prescribed in the relevant Ordinances, and no two statutory bodies resemble each other in terms of their duties, mode of operation and workload. According to information provided by Home Affairs Bureau, we have set out at Annex A a list of 242 statutory bodies.

3. As requested by Members, we have compiled a table at Annex B to provide information (where applicable and available) on the following four statutory bodies in respect of their functions, their staff complement and financial provision, the rate of honorarium for their members (if applicable), the workload of members, and the caseload of their secretariats/executive arms –

- (a) Securities and Futures Commission (SFC);
- (b) Equal Opportunities Commission (EOC);
- (c) Office of The Ombudsman; and

(d) Office of the Privacy Commissioner for Personal Data.

4. Notwithstanding the above, we should point out that these four statutory bodies discharge a very wide range of different functions and vary considerably in their operation. For example, SFC is the “regulator” that oversees the securities and futures markets. EOC promotes equal opportunities, handles discrimination-related complaints, encourages conciliation and provides assistance to aggrieved persons. The Office of The Ombudsman investigates complaints where maladministration is alleged or suspected, whereas the Office of the Privacy Commissioner for Personal Data monitors, supervises and promotes compliance with the Personal Data (Privacy) Ordinance. In view of the wide differences in their statutory functions, mode of operation and administrative set-up, it would not be appropriate to directly compare these statutory bodies with the IPCC, which monitors and reviews investigations by the Complaints Against Police Office (CAPO) of public complaints against the Police.

5. At Annex C, we have compiled a table to set out the requested information on another six statutory bodies or administrative/statutory committees established under statutory bodies which comprise mainly non-government officials and are charged to, among other functions, advise on specific cases or review decisions on complaints/objections. These six statutory bodies/committees established under statutory bodies are –

- (a) Public Service Commission (PSC);
- (b) Appeal Review Committee under the Hong Kong Examinations and Assessment Authority;
- (c) Review Committee under the Urban Renewal Authority;
- (d) Committee on Levy under the Construction Industry Training Council;
- (e) Consumer Complaints Review Committee under the Consumer Council; and
- (f) Broadcasting Authority Complaints Committee (BACC) under the Broadcasting Authority (BA).

6. Similar to the constraint inherent in Annex B, we should point out that although the principal functions of the six bodies and committees in paragraph 5 are to consider complaints, objections or appeals to decisions, due to the wide differences in the specific nature, subject matters and complexity of cases handled by each body/committee, as well as differences in the authority which these bodies/committees may exercise over cases within their respective purview, it would not be appropriate to make any direct comparison between these bodies/committees and the IPCC.

To provide information on the power and composition of the Appeal Board on Public Meetings and Processions and consider the suggestion of empowering the IPCC to determine the results of investigation into complaints

7. The Appeal Board on Public Meetings and Processions is established under section 16 of the Public Order Ordinance (Cap. 245) to consider appeals against the Commissioner of Police's decision to prohibit/object the holding of, or to impose conditions on, a public meeting or procession. Under section 44 of Cap. 245, the Appeal Board shall consist of –

- (a) a Chairman or (in his absence) a Deputy Chairman, who presides at the hearing; and
- (b) three persons selected in rotation from a panel of 15 persons.

Under section 43 of Cap. 245, the Chairman should be a retired judge or an ex-magistrate who has served for more than 10 years. The provision also stipulates that persons appointed to the panel should not be public officers, two of whom are to be appointed to be the Deputy Chairmen.

8. Regarding the suggestion of empowering the IPCC to determine the results of investigation into complaints against the Police, the IPCC Bill provides the IPCC with extensive powers to effectively monitor and review the investigation of complaints against the Police. Clause 18 empowers the IPCC to, in relation to an investigation report submitted by the Police, advise the Commissioner of Police (CP) on its recommendation on the report, the classification of the complaint concerned and the Police's handling or investigation of the complaint. If the IPCC's view is different from the Police's conclusion of the investigation or classification of the complaint, it may under clause 20 require the Police to provide additional information or materials relating

to the complaint or to clarify any fact or discrepancy relating to the complaint, or under clause 21 require the Police to re-investigate the complaint. CP is required under clause 27 to comply with the requirements of the IPCC save in specified circumstances. Under the existing practice, the IPCC and CAPO will seek to reach a consensus on the classification of a reportable complaint through discussions. We envisage that this good practice will continue upon the enactment of the IPCC Bill. In any event, the IPCC may under clause 28 of the Bill make a report to the Chief Executive (CE). CE may direct the Police as he sees fit.

The IPCC Interviewing Witnesses Scheme

To provide information on the number of complainants, complainees and witnesses interviewed under the IPCC Interviewing Witnesses Scheme

9. According to the IPCC Secretariat, since the introduction of the IPCC Interviewing Witnesses Scheme^{Note} in 1994, 48 witnesses involved in 43 complaints were interviewed under the Scheme. However, as the relevant case files have already been disposed of, no breakdown of the number of complainants, complainees and other witnesses interviewed is available.

Security Bureau
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^{Note} Under the Scheme, the IPCC may interview witnesses, including complainants, complainees, pathologists, government chemists and independent witnesses, to clarify matters.

List of Statutory Bodies in Hong Kong^{Note}

I. Advisory Boards and Committees (50)

1. Advisory Committee on Travel Agents
2. Antiquities Advisory Board
3. Aviation Security Committee
4. Banking Advisory Committee
5. Betting and Lotteries Commission
6. Board of Inland Revenue
7. Country and Marine Parks Board
8. Deposit-taking Companies Advisory Committee
9. Central & Western District Council
10. Eastern District Council
11. Islands District Council
12. Kowloon City District Council
13. Kwai Tsing District Council
14. Kwun Tong District Council
15. North District Council
16. Sai Kung District Council
17. Sha Tin District Council
18. Sham Shui Po District Council
19. Southern District Council
20. Tai Po District Council
21. Tsuen Wan District Council
22. Tuen Mun District Council
23. Wan Chai District Council
24. Wong Tai Sin District Council
25. Yau Tsim Mong District Council
26. Yuen Long District Council
27. Endangered Species Advisory Committee
28. Fish Marketing Advisory Board
29. Gas Safety Advisory Committee

^{Note} The list as compiled by Home Affairs Bureau does not include statutory bodies without a “committee” structure, such as The Ombudsman and the Privacy Commissioner for Personal Data.

30. Hong Kong Council on Smoking and Health
31. Hong Kong Export Credit Insurance Corporation Advisory Board
32. Insurance Advisory Committee
33. Judicial Officers Recommendation Commission
34. Legal Aid Services Council
35. Local Vessel Advisory Committee
36. Mandatory Provident Fund Industry Schemes Committee
37. Mandatory Provident Fund Schemes Advisory Committee
38. Marketing Advisory Board
39. Panel of Film Censorship Advisers
40. Pensions Assessment Board
41. Personal Data (Privacy) Advisory Committee
42. Pilotage Advisory Committee
43. Po Leung Kuk Advisory Board
44. Public Service Commission
45. Risk Management Committee of the Hong Kong Exchanges and Clearing Limited
46. Safety Officer Advisory Committee
47. Seafarers' Advisory Board
48. Standing Advisory Committee (Oil Storage Installations)
49. Standing Committee on Legal Education and Training
50. Tung Wah Group of Hospitals Advisory Board

II. Non-departmental Public Bodies (16)

1. Board of Governors of the Prince Philip Dental Hospital
2. Board of the Urban Renewal Authority
3. Consumer Council
4. Council of the Hong Kong Academy for Performing Arts
5. Employees Retraining Board
6. Equal Opportunities Commission
7. Hong Kong Arts Development Council
8. Hong Kong Deposit Protection Board
9. Hong Kong Examinations and Assessment Authority
10. Hong Kong Housing Authority
11. Hong Kong Productivity Council
12. Hong Kong Tourism Board
13. Hong Kong Trade Development Council
14. Hospital Authority

15. Occupational Safety and Health Council
16. Vocational Training Council

III. Regulatory Boards and Bodies (46)

1. Air Transport Licensing Authority
2. Architects Registration Board
3. Asbestos Administration Committee
4. Authorized Persons', Registered Structural Engineers' and Registered Geotechnical Engineers' Disciplinary Board Panel
5. Authorized Persons Registration Committee Panel
6. Broadcasting Authority
7. Chinese Medicine Council of Hong Kong
8. Chiropractors Council
9. Construction Workers Registration Authority
10. Contractors Registration Committee Panel
11. Council of the Hong Kong Academy of Medicine
12. Council of the Hong Kong Institute of Certified Public Accountants
13. Council on Human Reproductive Technology
14. Dental Council of Hong Kong
15. Disciplinary Board Panel (Factories and Industrial Undertakings (Safety Management) Regulation)
16. Disciplinary Board Panel (Land Survey)
17. Disciplinary Board Panel (Lifts and Escalators (Safety Ordinance))
18. Disciplinary Tribunal Panel (Builders' Lifts and Tower Working Platforms (Safety))
19. Disciplinary Tribunal Panel (Electricity)
20. Electoral Affairs Commission
21. Engineers Registration Board
22. Estate Agents Authority
23. Fire Service (Installation Contractors) Disciplinary Board
24. Geotechnical Engineers Registration Committee Panel
25. Housing Managers Registration Board
26. Human Organ Transplant Board
27. Land Surveyors Registration Committee
28. Landscape Architects Registration Board
29. Liquor Licensing Board
30. Mandatory Provident Fund Schemes Authority
31. Medical Council of Hong Kong

32. Midwives Council of Hong Kong
33. Nursing Council of Hong Kong
34. Pharmacy and Poisons Board
35. Planners Registration Board
36. Radiation Board
37. Registered Contractors' Disciplinary Board Panel
38. Review Panel (Land(Miscellaneous Provision) Ordinance)
39. Securities and Futures Commission
40. Security and Guarding Services Industry Authority
41. Social Workers Registration Board
42. Structural Engineers Registration Committee Panel
43. Supplementary Medical Professions Council
44. Surveyors Registration Board
45. Town Planning Board
46. Veterinary Surgeons Board

IV. Appeal Boards (61)

1. Administrative Appeals Board
2. Air Pollution Control Appeal Board Panel
3. Appeal Board (Amusement Game Centres)
4. Appeal Board (Bedspace Apartments)
5. Appeal Board (Betting Duty Ordinance)
6. Appeal Board (Clubs (Safety of Premises))
7. Appeal Board (Hotel and Guesthouse Accommodation)
8. Appeal Board on Closure Orders (Immediate Health Hazard)
9. Appeal Board on Public Meetings and Processions
10. Appeal Board Panel (Amusement Rides (Safety))
11. Appeal Board Panel (Builders' Lifts and Tower Working Platforms (Safety))
12. Appeal Board Panel (Consumer Goods Safety)
13. Appeal Board Panel (Electricity)
14. Appeal Board Panel (Entertainment Special Effects)
15. Appeal Board Panel (Gas Safety)
16. Appeal Board Panel (Lifts and Escalators Safety)
17. Appeal Board Panel (Town Planning)
18. Appeal Board Panel (Toys and Children's Products Safety)
19. Appeal Board Panel established under Part 2 of Schedule 6 to the Smoking (Public Health) Ordinance

20. Appeal Board Panel under the Construction Workers Registration Ordinance
21. Appeal Board Panel under the Rabies Ordinance
22. Appeal Board Panel under the Urban Renewal Authority Ordinance
23. Appeal Boards Panel (Education)
24. Appeal Panel (Estate Agents Ordinance)
25. Appeal Panel (Housing)
26. Appeal Tribunal Panel (Buildings)
27. Board of Review (Film Censorship)
28. Board of Review (Inland Revenue Ordinance)
29. Capital Adequacy Review Tribunal
30. Civil Celebrant of Marriages Appointment Appeal Board
31. Clearing and Settlement System Appeals Tribunal
32. Copyright Tribunal
33. Deposit Protection Appeals Tribunal
34. Drainage Appeal Board Panel
35. Dumping at Sea Appeal Board Panel
36. Environmental Impact Assessment Appeal Board Panel
37. HKSAR Passports Appeal Board
38. Hong Kong War Memorial Pensions Appeal Board
39. Immigration Tribunal
40. Insider Dealing Tribunal
41. Licensing Appeals Board
42. Long-term Prison Sentences Review Board
43. Mandatory Provident Fund Schemes Appeal Board
44. Market Misconduct Tribunal
45. Mental Health Review Tribunal
46. Municipal Services Appeals Board
47. Noise Control Appeal Board Panel
48. Non-local Higher and Professional Education Appeal Board
49. Occupational Retirement Schemes Appeal Board
50. Panel of Witness Protection Review Board
51. Pensions Appeal Panel
52. Pharmacy and Poisons Appeal Tribunal
53. Post-Release Supervision Board
54. Registration of Persons Tribunal
55. Release under Supervision Board
56. Residential Care Homes (Elderly Persons) Appeal Board
57. Securities and Futures Appeals Tribunal

58. Telecommunications (Competition Provisions) Appeal Board
59. Transport Tribunal's Panel
60. Waste Disposal Appeal Board Panel
61. Water Pollution Control Appeal Board Panel

V. Advisory and Management Boards of Trusts/Funds and Funding Schemes (44)

1. Agricultural Products Scholarship Fund Advisory Committee
2. Board of Control - Grant Schools Provident Fund
3. Board of Control - Subsidized Schools Provident Fund
4. Board of Directors of the Surviving Spouses' and Children's Pension Scheme
5. Board of Directors of the Widows and Orphans Pension Scheme
6. Board of Management of the Chinese Permanent Cemeteries
7. Board of Trustees of the Lord Wilson Heritage Trust
8. Board of Trustees of the Sir Edward Youde Memorial Fund
9. Brewin Trust Fund Committee
10. Chinese Temples Committee
11. Correctional Services Children's Education Trust Committee
12. Correctional Services Children's Education Trust Investment Advisory Board
13. Council of the Lord Wilson Heritage Trust
14. Council of the Queen Elizabeth Foundation for the Mentally Handicapped
15. Customs and Excise Service Children's Education Trust Fund Committee
16. Customs and Excise Service Children's Education Trust Fund Investment Advisory Board
17. Education Scholarships Fund Committee
18. Emergency Relief Fund Committee
19. Employees Compensation Assistance Fund Board
20. Employees' Compensation Insurance Levies Management Board
21. Environment and Conservation Fund Committee
22. Exchange Fund Advisory Committee
23. Grantham Scholarships Fund Committee
24. Hong Kong War Memorial Pensions Advisory Committee
25. Kadoorie Agricultural Aid Loan Fund Committee
26. Li Po Chun Charitable Trust Fund Committee
27. Marine Fish Scholarship Fund Advisory Committee
28. Mercantile Marine Assistance Fund Committee
29. Occupational Deafness Compensation Board
30. Pneumoconiosis Compensation Fund Board

31. Police Children's Education Trust Investment Advisory Board
32. Police Children's Education Trust Management Committee
33. Police Education and Welfare Trust Investment Advisory Board
34. Police Education and Welfare Trust Management Committee
35. Prisoners' Education Trust Fund Committee
36. Prisoners' Education Trust Fund Investment Advisory Committee
37. Protection of Wages on Insolvency Fund Board
38. Sir David Trench Fund for Recreation Investment Advisory Committee
39. Sir Murray MacLehose Trust Fund Investment Advisory Committee
40. Sir Robert Black Trust Fund Committee
41. Social Work Training Fund Committee
42. The Sir Edward Youde Memorial Fund Council
43. The Trustees of the Morrison Scholarships Fund
44. Travel Industry Compensation Fund Management Board

VI. Public Corporations (4)

1. Airport Authority
2. Board of Directors of the Hong Kong Science and Technology Parks Corporation
3. Managing Board of the Kowloon-Canton Railway Corporation
4. Ocean Park Corporation Board

VII. Miscellaneous Boards and Committees (21)

1. Board of Governors of the Hong Kong Arts Centre
2. Clothing Industry Training Authority
3. Construction Industry Council
4. Construction Industry Training Authority
5. Costs Committee
6. Council of the Chinese University of Hong Kong
7. Council of City University of Hong Kong
8. Council of the Hong Kong Baptist University
9. Council of the Hong Kong Institute of Education
10. Council of the Hong Kong Polytechnic University
11. Council of the Hong Kong University of Science and Technology
12. Council of Lingnan University
13. Council of the Open University of Hong Kong
14. Council of the University of Hong Kong

15. Dogs and Cats Classification Board
16. Federation of Hong Kong Industries General Committee
17. Financial Reporting Council
18. Financial Reporting Review Panel
19. Guardianship Board
20. Hong Kong Council for Academic Accreditation
21. Leveraged Foreign Exchange Trading Arbitration Panel

**Information on the Securities and Futures Commission, Equal Opportunities Commission,
the Office of The Ombudsman and the Office of the Privacy Commissioner for Personal Data**

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource available	Remuneration / Honorarium for members	Workload of members	Workload of the executive arm
(a) Securities and Futures Commission (SFC)	Securities and Futures Ordinance (SFO) (Cap. 571)	14 non-official members (8 of them and including the Chairman are non-executive directors). There is no government representative.	To regulate the securities and futures markets.	SFC itself.	425 (no civil servant) The Chief Executive Officer is the head of the executive arm.	Revenue for 2006/07: \$1,077.83 million Expenditure for 2006/07: \$599.31 million Section 14 of the SFO provides that the Government shall provide funding to SFC as appropriated by Legislative Council. In practice, SFC has been adequately funded by levies, fees and charges, and has not requested appropriation from the Legislative Council since 1993/94.	The non-executive Chairman of SFC is remunerated at \$58,500 a month.	It should be noted that the SFC is neither a secretariat nor an executive arm to any organization. It is a statutory body responsible for regulating the securities and futures market and a wide range of other functions, such as licensing of intermediaries, authorizing financial products, processing listing applications, conducting investigations and processing enquiries and complaints, etc.	The workload of SFC cannot be solely measured by the number of complaints it handled, given its very wide range of functions. Nonetheless, for information, in 2006/07, SFC processed 95 listing applications, handled more than 1 000 inquiries/investigations, answered 5 944 investor enquiries and handled 1 056 complaints.

¹ The executive arm of these 4 statutory bodies are not government departments.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource available	Remuneration / Honorarium for members	Workload of members	Workload of the executive arm
(b) Equal Opportunities Commission (EOC)	Sex Discrimination Ordinance (SDO) (Cap. 480)	16 non-official members There is no government representative.	The EOC is tasked to implement SDO, the Disability Discrimination Ordinance (DDO) (Cap. 487) and the Family Status Discrimination Ordinance (FSDO) (Cap. 527). Its functions include handling complaints; conducting investigations; encouraging conciliation; providing assistance to aggrieved persons; undertaking public education, research and training programmes to promote equal opportunities; eliminating discrimination on the grounds of sex, marital status, pregnancy, disability and family status, as well as sexual harassment, harassment and vilification on the ground of disability;	EOC Office	77 (no civil servant) The Chairperson, remunerated at D8 of the Directorate Pay Scale, is the head of the EOC Office.	\$71.4 million for 2007/08, funded by Government.	The Chairperson is remunerated at D8 of the Directorate Pay Scale. Members: nil	The EOC handles a variety of statutory functions under the relevant legislation. It held 7 Board meetings in 2006. Members spent about 21 hours on these meetings. The Legal and Complaints Committee of EOC, which comprises 10 members, is responsible for considering legal assistance application. In 2006, the Legal and Complaints Committee held six meetings in which members considered 36 applications made under section 85 of SDO, section 81 of DDO and section 63 of the FSDO for assistance other than by way of conciliation and received reports on complaint cases. Members spent about 12 hours a year on these meetings. The time spent on studying the applications depend on the complexity of the cases and varies among individual members.	The EOC Office assists the Commission in the discharge of its various functions on a full-time basis. In terms of caseload, in 2006, EOC received 14 235 enquiries and 717 complaints; and handled 930 complaints.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource available	Remuneration / Honorarium for members	Workload of members	Workload of the executive arm
			reviewing legislation and issuing guidelines.						
(c) The Ombudsman	The Ombudsman Ordinance (Cap. 397)	The Office of The Ombudsman is an independent office with a single-office holder. There is no committee set-up under The Ombudsman.	To investigate complaints from the public and/or to conduct direct investigations into official actions where maladministration is alleged or suspected; and to review government departments' decisions on requests made under the Code on Access to Information.	Office of The Ombudsman	106 (no civil servant)	\$81.6 million for 2007/08, funded by Government.	The Ombudsman works full-time and her basic salary is equivalent to D8 of the Directorate Pay Scale in the civil service.	In 2006-07, the Office concluded a total of 5 340 complaints. The Ombudsman carries out her statutory duties on a full-time basis.	Relevant staff of the Office of The Ombudsman are directly involved in investigating complaints. In 2006-07, a total of 5 340 complaint cases were concluded.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource available	Remuneration / Honorarium for members	Workload of members	Workload of the executive arm
(d) Privacy Commissioner for Personal Data (Privacy Commissioner)	Personal Data (Privacy) Ordinance (PDPO) (Cap. 486)	Privacy Commissioner is a corporation sole established under the PDPO.	To monitor, supervise and promote compliance with the PDPO. The Privacy Commissioner's duties include, among other things, approving and issuing codes of practice giving practical guidance on compliance with the PDPO; approving requests from data users on automated matching of personal data; investigation of suspected breaches of the PDPO's requirements and issuing enforcement notices to data users as appropriate; promoting awareness and understanding of the PDPO; and liaison with his overseas counterparts.	Office of the Privacy Commissioner for Personal Data.	50 (no civil servant) The Privacy Commissioner, remunerated at D5 of the Directorate Pay Scale, is the full-time head of the Office of the PCPD.	\$36.3million for 2007/08, funded by Government	Privacy Commissioner's remuneration is equivalent to D5 of the Directorate Pay Scale.	The Privacy Commissioner carries out a variety of functions under the PDPO on a full-time basis. In terms of caseload, his office handled 14 614 enquiries, 1 025 complaints, 79 compliance checks, and 9 matching procedure consent applications in 2006.	The Privacy Commissioner is responsible for all the cases handled by his staff. He personally inspects the files whenever his statutory function is invoked by virtue of section 32 (giving consent to matching procedure requests); section 39 (exercise of discretion to discontinue investigation); section 41 (commencement of formal investigation); section 47 (conclusion of formal investigations) and section 48 (publication of reports). His personal involvement is also required whenever comments are called for in respect of proposed legislation that may affect the privacy of individuals. The Office of the Privacy Commissioner for Personal Data assists the Commissioner in the discharge of his various functions. Enquiries/ complaints/ compliance checks and applications are processed by staff at an appropriate rank, and are brought to the personal attention of the Privacy Commissioner if the circumstances so warrant.

Information on 6 statutory bodies or committees established under statutory bodies with a function to advise on specific cases or to review decisions on complaints/objections

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Workload of members	Workload of the executive arm
(a) Public Service Commission (PSC)	Public Service Commission Ordinance (PSCO) (Cap. 93)	One full-time Chairman and 7 non-official members	To advise the Chief Executive on civil service appointments, promotions and discipline involving posts under the purview of the Commission	PSC Secretariat (a Government department)	27 civil servants. The Secretary, a Senior Principal Executive Officer at D2 rank, is the head of the PSC Secretariat.	\$15.2 million for 2007/08, funded by Government	The Chairman's remuneration is equivalent to D8 of the Directorate Pay Scale. Other non-official members are not remunerated.	Business of the Commission is normally conducted through circulation of files. Meetings are held to discuss major policy issues or cases which are complex or involve important points of principle. The Commission also acts as a "think tank" to the Secretary for the Civil Service on policy and procedural issues pertaining to appointments, promotions and discipline as well as on a wide range of subjects relating to the review and development on human resource management subjects. In 2006, the Commission advised on 892 submissions covering recruitment, promotion, discipline and other appointment-related matters submitted by the Administration, and held two Commission meetings. The time spent by members on handling submissions depends much on the complexity of the cases and varies among individual members.	The PSC Secretariat assists the Commission in the discharge of its functions. In relation to submissions from the Administration, Secretariat staff examine the submissions, raise queries if warranted and prepare submissions for the Commission's advice. 892 submissions were advised by the Commission in 2006.

¹ The executive arm is not a government department unless otherwise specified.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Appeal Review Committee under the HKEAA	
								Workload of Members	Workload of the executive arm
(b) Hong Kong Examinations and Assessment Authority (HKEAA)	Hong Kong Examinations and Assessment Authority Ordinance (Cap. 261)	11 non-official members (including the Chairman) and 1 government representative	To conduct public examinations in Hong Kong and elsewhere, and administer other local and professional examinations	HKEAA Secretariat	358 (no civil servant) The Secretariat is headed by the Secretary General, who works full time and is at the equivalent civil service rank of D3 of the Directorate Pay Scale.	It is self-financing and does not receive any recurrent funding from the Government. It has previously received one-off grants from the Government to meet justified developmental needs.	Travelling allowance of \$90 per meeting	The Appeal Review Committee handled 11 appeals against the decisions of the Public Examination Board on public examinations irregularities and 76 appeals against the outcome of remarking and rechecking public examination results in 2006. In 2006, the Committee held 3 meetings and each member spent about 12 hours a year on meetings and another 12 hours on preparation (e.g. studying the appeal cases).	About 11 staff members of the HKEAA Secretariat assist the Appeal Review Committee in handling appeals. In 2006, the Secretariat staff processed 87 Appeal cases. As these staff also handle other responsibilities, it would not be possible to ascertain the time they devote to duties related specifically to the Appeal Review Committee.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Review Committee under the URA	
								Workload of Members	Workload of the executive arm
(c) Urban Renewal Authority (URA)	Urban Renewal Authority Ordinance (Cap. 563)	22 non-official members (including the Chairman) and 4 government representative	To carry out urban renewal and connected matters.	URA itself	277 (no civil servant) The Managing Director is the head of the executive arm of URA.	The Government has made an equity injection of \$10 billion to the URA over the five financial years from 2002-03 to 2006-07.	Chairman of the URA Board: \$100,000 a year Members of the URA Board (non-official non-executive): \$65,000 a year Members of the URA Board (official non-executive): Nil	The Review Committee under the URA Board considers review cases from owners or occupiers affected by URA's redevelopment projects. The Committee is chaired by a URA Board member and comprises five other URA Board members and 21 co-opted members. In 2006, the Review Committee held two meetings to hear two cases. The Committee members spent about two hours on these meetings. The time spent on studying the complaints depends on the complexity of the cases and varies among individual members.	Two URA staff members provide secretarial support to the Review Committee on cases which requiring the Committee's attention. These staff also carry out other functions and we cannot ascertain the time they devote to duties related specifically to the Review Committee.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Levy Committee under CITA	
								Workload of Members	Workload of the executive arm
(d) Construction Industry Training Authority (CITA)	Industrial Training (Construction Industry) Ordinance (Cap. 317)	11 non-official members (including the Chairman) and 2 government representatives	<p>(a) To provide training courses for the construction industry;</p> <p>(b) To establish and maintain industrial training centres therefor;</p> <p>(c) To assist in the placement of persons completing training courses;</p> <p>(d) To make recommendations with respect to the rate of levy;</p> <p>(e) To assess the standards of skills achieved by anyone in any kind of work involving or in connection with the construction industry, conduct examinations or tests, issue or award certificate of competence and establish the standards to be achieved in respect of such work.</p>	CITA itself	<p>9 staff to handle secretariat duties and about 380 training staff to provide training and trade testing service (no civil servant).</p> <p>The executive arm is headed by an Executive Director.</p>	<p>CITA is funded by a levy imposed on construction operations carried out in Hong Kong.</p> <p>The estimated income for 2007/08 is \$268 million.</p>	<p>Nil for the Chairman or non-official members.</p>	<p>The Levy Committee under CITA comprises 1 Chairman, 5 Authority members, 3 co-opted members and 1 ex-officio member. It monitors and reviews the levy operation of CITA in the following manner –</p> <ul style="list-style-type: none"> ● to recommend to the Authority policies and guidelines in connection with the enforcement of the Ordinance relating to levy; ● to make recommendations to the Authority on objections concerning levy; ● to direct the Authority's Accounts Department to deal with cases of objection which are not likely to involve litigation; ● to exercise the powers delegated by the Authority to deal with objections in minor cases (i.e. involving an amount of levy in dispute of not more than \$50,000) which may involve litigation; ● to seek the Authority's endorsement prior to the initiation of any litigation; ● to carry out periodical review of the operations of the Authority's Accounts Department relating to levy collection and assessment; ● to carry out periodical review of the Ordinance concerning levy and to make recommendations to the Authority on amendments if necessary. 	<p>The CITA Secretariat assists CITA in the discharge of its functions. In relation to objections concerning levy, the Accounting Manager with the assistance of the surveying officer, first reviews the cases and resolve them with the contractors. The Accounting Manager will present appeals from the contractors to the Levy Committee for consideration.</p> <p>In 2006, there were 17 objection cases, 3 of which were considered by the Levy Committee. In 2007, there were 11 objection cases, 3 of which were considered by the Levy Committee.</p>

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Levy Committee under CITA	
								Workload of Members	Workload of the executive arm
								<p>The Levy Committee held two meetings in 2006 and considered 3 objection cases. In 2007, the Committee has held two meetings and considered 3 objection cases to date.</p> <p>Members of the Levy Committee spent about four hours a year (for both 2006 and 2007) on meetings. The time spent on studying cases depends on the complexity of the cases and varies among individual members.</p>	

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	Consumer Complaints Review Committee (CCRC) under Consumer Council	
								Workload of Members	Workload of the executive arm
(e) Consumer Council (CC)	Consumer Council Ordinance (Cap. 216)	22 non-official members (including the Chairman)	To protect and promote the interests of consumers of goods and services and purchasers, mortgagors and lessees of immovable property.	Consumer Council Office	124 staff (no civil servant) The Chief Executive of Consumer Council, at the equivalent civil servant rank of D3 of the Directorate Pay Scale, is the full-time head of the Consumer Council Office.	\$71.3million for 2007/08, funded by the Government	\$150 per meeting for each attending member	<p>CCRC comprises Council Members sitting on it in rotation of five to six. Its terms of reference are:</p> <ul style="list-style-type: none"> ● to examine and advise on the resolution of complicated individual complaint cases from individual consumers; ● to examine issues arising from consumer complaints which have drawn wide public/media attention; ● to review cases where the complainants are dissatisfied with the outcome despite Council staff's best possible mediating efforts, and/or with the handling by Council staff; ● to consider cases for public censure of trade malpractice, misrepresentation or misleading claims in advertising materials; ● to meet delegations and to receive representations of interested groups; and ● to review the Council's consumer complaints handling procedures as and when necessary. <p>The Committee handled 8 cases in 2006 and 12 cases in 2007 so far.</p> <p>CCRC members spend about 6 hours a year on meetings. The time spent on studying cases depends on the complexity of the cases and varies among individual members.</p>	The Consumer Council Office assists the Consumer Council in the discharge of its various functions. CCRC does not have a dedicated support team nor is there any record on the amount of manpower resources that the Consumer Council Office devotes to the work of CCRC.

Name of statutory body	Enabling ordinance	Membership	Statutory functions	Executive arm ¹	Staff number of executive arm	Financial resource	Remuneration / Honorarium for members	The Broadcasting Authority Complaints Committee (BACC) under BA	
								Workload of Members	Workload of the executive arm
(f) Broadcasting Authority (BA)	Broadcasting Authority Ordinance (Cap. 391) (BAO)	9 non-official (including the Chairman) and 3 government representatives	To regulate licensed television and sound broadcasters in Hong Kong.	The BA Secretariat is currently part of a government department (i.e. Broadcasting Division of the Television and Entertainment Licensing Authority)	45 civil servants / NCSC staff. The Principal Executive Officer of the BA, i.e. Commissioner for Television and Entertainment Licensing (at D3 rank of the Directorate Pay Scale) is the head of the executive arm.	\$29 million for 2007/08, funded by the Government	Chairman: \$296 per meeting Non-official member: \$296 per meeting	BACC considers and makes recommendations to the BA on complaints about broadcasts. It comprises 13 non-official members In 2006, BACC members deliberated 413 complaints and appeals on complaints lodged with the BA. 12 BACC meetings were held to discuss these cases. BACC members spent about 30 hours on these monthly meetings. The time spent on studying the complaints and appeals depends on the complexity of the cases and varies among individual members.	The BA Secretariat assists the BA in the discharge of its various functions. In relation to complaints and appeals referred to the BACC, about one-third of the staff of the BA Secretariat, among their other duties, assist BACC members in the investigation and deliberation of these cases. The BA Secretariat also investigated and handled 4 503 complaints direct under delegated authority from the BA.