



29 June 2007

The Hon Miriam LAU Kin-ye, G.B.S., J.P.
Chairman
Legislative Council House Committee
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Miriam,

**Attendance of Principal Officials at and provision of papers
for Legislative Council committee meetings**

Thank you for your letter of 12 June conveying the concerns expressed by Members of the Legislative Council on the statistics compiled on the attendance of Principal Officials at Panel meetings and on the timeliness of papers prepared by the Administration.

Attendance

We note with interest the statistics compiled on the attendance of Principal Officials at Panel meetings. As can be expected, the number of Panel meetings held can vary a lot, depending for instance on which Panel it was (for 2004-05, the Education Panel met 20 times and the Public Service Panel 8), and which year it was (the Food Safety and Environmental Hygiene Panel met 18 times in 2004-05 but 25 times in 2005-06). In much the same way, the number of issues that merit discussion varies across Panels and across years. Within the period surveyed, the number of items discussed in a Panel within a year ranged between 48 (for the Food Safety and Environmental Hygiene Panel in 2005-06) and 15 (for the Public Service Panel for 2004-05). The

variation fully reflects the diversity of issues being tracked by the various Panels. It also reflects the commitment of both the serving LegCo members as much as the Administration in responding to issues of concern to the community. However, there is no causal link between the figures and Principal Officials' commitment towards LegCo.

In line with the spirit behind the political appointment system, the Administration has always tried its best to field LegCo deliberations with relevant Principal Officials. The first round of liaison with LegCo typically follows the delivery of the Policy Address by the Chief Executive every year. The Special Finance Committee session following Budget delivery is yet another occasion when LegCo Members can have a thorough exchange with the Principal Officials concerned on resource management and other issues. Whilst the number of Special FC questions on the draft Estimates has dramatically risen by 50% in recent years, from 1,800 for the 2004-05 Estimates rising steadily to 2,700 for 2007-08, all the written replies still require the personal clearance of the relevant Principal Officials, and are typically sought within an extremely tight time frame. These formal replies, together with the exchanges during the Special FC sessions, are no better testimony of how serious the Administration takes regarding its obligation to brief LegCo on public expenditure-related matters. On a weekly basis within the Legislative Session, our Principal Officials are also obliged to respond to six oral and 14 written questions every time, and to respond as appropriate to motion debates initiated by Members. Preparing well for the weekly sessions, totaling some 160 oral questions in a year, is not a commitment that should be taken lightly. To these, I should add that Principal Officials would also make themselves available on a need basis at Panel meetings, meetings of the Finance Committee or its Subcommittees and meetings of the Public Accounts Committee, to explain the views of the Administration.

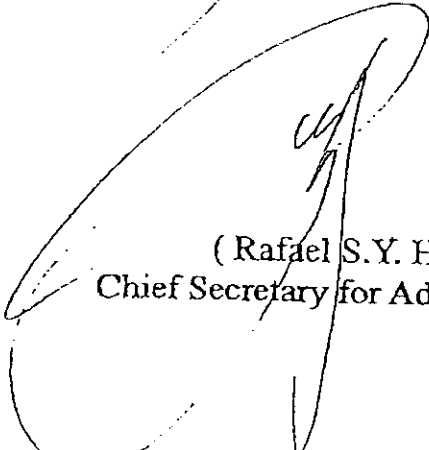
In the overall scheme of things, I am satisfied that Principal Officials have tried their very best to join the relevant deliberations in LegCo to explain the views of the Administration. I do not agree with Members' suggestion that there has been a "declining attendance rates of Principal Officials at Panel meetings". Attending Panel meetings is but one of many means to demonstrate the Administration's accountability to LegCo. The inference attached to "declining" attendance rates is also not borne out by any of the facts set out in the relevant statistics; no

consistent discernable trend has emerged. The suggestion also overlooks the highly diversified nature of the discussion items raised at the Panel level and the unavoidable need for some degree of delegation.

Members have requested that we consider drawing up a performance pledge on the attendance of Principal Officials at Panel and Bills Committee meetings. In view of the highly diversified and variable nature of the public business that is of interest to LegCo Members at any given time, I do not see any meaningful purpose to introduce any rigid attendance pledge for Panels or Bills Committees. Against a limited number of Principal Officials, however, I do see the urgent need to supplement the government team with another tier of political appointees. We have proposed, in the Consultation Document on Further Development of the Political Appointment System published in July 2006, that new positions at two levels, namely, Deputy Directors of Bureau and Assistants to Directors of Bureau, be created. Deputy Directors of Bureau, in particular, will be responsible for assisting Directors of Bureau in strengthening the working relationship with LegCo. This will include attending Committee, Subcommittee and Panel meetings of LegCo. We believe Members' support of the proposal will go a long way towards alleviating the concerns raised by Members. In any event, I would emphasize that it remains the Administration's commitment to try as best as we can to field the most appropriate officers to facilitate all deliberations at LegCo, irrespective of rank.

I will remind colleagues in Bureaux and Departments the other concern Members raised in respect of the late provision of Panel papers. Please rest assured that the Administration will continue to make our best endeavours, circumstances and resources permitting.

Yours sincerely



(Rafael S.Y. HUI)
Chief Secretary for Administration



立法會
LEGISLATIVE COUNCIL

來函編號 YOUR REF CB2/H/3
本函檔號 OUR REF 2537 2442
電 話 TELEPHONE 2530 9167
圖文傳真 FACSIMILE

12 June 2007

The Hon Rafael HUI Si-yan, GBS, JP
The Chief Secretary for Administration
Government Secretariat
Central Government Offices
Lower Albert Road
Hong Kong

Dear Rafael,

**Attendance of Principal Officials at and provision of papers
for Legislative Council committee meetings**

On behalf of the House Committee, I write to convey to you the concern of Members about the low attendance of Principal Officials at Panel meetings and the late provision of papers by the Administration.

At the House Committee meeting on 8 June 2007, Members have expressed dissatisfaction about the low attendance of Principal Officials at Panel meetings in the current term of the Legislative Council (LegCo). According to the attached statistics compiled by the LegCo Secretariat, the attendance rates of Principal Officials at Panel meetings over the past three years have been declining; the attendance rate of some Principal Officials was even below 10%.

The Administration has claimed that one of the main objectives of introducing the accountability system for Principal Officials in 2002 is to enhance cooperation between the Executive and the Legislature. Members consider that the declining attendance rates of Principal Officials at Panel meetings do not accord with the spirit of accountability. Members have requested the Administration to explain the low attendance rates of Principal Officials at Panel meetings, and draw up a performance pledge on the attendance of Principal Officials at Panel and Bills Committee meetings.

This apart, Members have also expressed concern about the late provision of papers by the Administration for Panel meetings. This has not only resulted in insufficient time for Members to study the papers, but has also rendered it difficult for the public to have early access to the papers via the LegCo website. Members consider it important for the Administration to adhere to the agreed deadlines for the provision of papers as decided by the House Committee in 2002. In gist, the Administration is required to :

- (a) provide papers at least five clear days before the relevant Panel meeting for items with at least three weeks' notice;
- (b) provide papers at least two clear days before the relevant Panel meeting for items involving time critical proposals, e.g. urgent financial proposals, or where the need to consult Panels does not arise until a very late stage; and
- (c) provide papers as soon as practicable for items with less than three weeks' notice, certain policy initiatives requiring the approval of the Executive Council, and matters involving commercially sensitive information.

Members have requested you to remind the bureaux of the agreed deadlines for the provision of papers.

I should be grateful for your early response.

Yours ever,



(Miriam LAU Kin-ye)

Chairman

Legislative Council House Committee

Encl.

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**Attendance of Principal Officials at Panel meetings
from 2004-2005 to 2006-2007(up to 31 May 2007)**

Panel	Session	(a) Total number of meetings held *	(b) Total number of discussion items #	Attendance of Principal Officials	
				(c) Number of meetings attended (%)	(d) Number of discussion items attended (%)
Administration of Justice and Legal Services	2004-2005	12	26	2 (16.67%)	2 (7.69%)
	2005-2006	14	30	3 (21.43%)	3 (10%)
	2006-2007	9	21	1 (11.11%)	1 (4.76%)
Commerce and Industry	2004-2005	10	24	3 (30%)	4 (16.67%)
	2005-2006	8	20	4 (50%)	4 (20%)
	2006-2007	7	17	2 (28.57%)	3 (17.65%)
Constitutional Affairs	2004-2005	14	27	14 (100%)	24 (88.89%)
	2005-2006	16	24	15 (93.75%)	23 (95.83%)
	2006-2007	7	14	7 (100%)	11 (78.57%)
Economic Services	2004-2005	16	32	11 (68.75%)	17 (53.13%)
	2005-2006	18	32	9 (50%)	11 (34.38%)
	2006-2007	8	17	4 (50%)	7 (41.18%)
Education	2004-2005	20	34	8 (40%)	13 (38.24%)
	2005-2006	13	25	3 (23.08%)	4 (16%)
	2006-2007	11	17	3 (27.27%)	3 (17.65%)
Environmental Affairs	2004-2005	14	28	4 (28.57%)	6 (21.43%)
	2005-2006	12	26	2 (16.67%)	2 (7.69%)
	2006-2007	11	22	3 (27.27%)	3 (13.64%)

* Includes both regular and special meetings for which attendance of the Administration is required.

Excludes the agenda items of "Confirmation of minutes", "Information papers issued since the last meeting", "Items for discussion at the next meeting" and other items for which the attendance of the Administration is not required.

Panel	Session	(a) Total number of meetings held *	(b) Total number of discussion items #	Attendance of Principal Officials	
				(c) Number of meetings attended (%)	(d) Number of discussion items attended (%)
Financial Affairs	2004-2005	12	32	10 (83.33%)	12 (37.5%)
	2005-2006	13	27	8 (61.54%)	9 (33.33%)
	2006-2007	12	20	4 (33.33%)	4 (20%)
Food Safety and Environmental Hygiene	2004-2005	18	39	7 (38.89%)	8 (20.51%)
	2005-2006	25	48	3 (12%)	4 (8.33%)
	2006-2007	11	20	2 (18.18%)	2 (10%)
Health Services	2004-2005	16	37	4 (25%)	6 (16.22%)
	2005-2006	18	29	2 (11.11%)	2 (6.9%)
	2006-2007	11	25	1 (9.09%)	1 (4%)
Home Affairs	2004-2005	15	28	5 (33.33%)	6 (21.43%)
	2005-2006	12	24	4 (33.33%)	4 (16.67%)
	2006-2007	9	19	1 (11.11%)	1 (5.26%)
Housing	2004-2005	12	19	7 (58.33%)	7 (36.84%)
	2005-2006	16	26	7 (43.75%)	8 (30.77%)
	2006-2007	9	18	3 (33.33%)	3 (16.67%)
Information Technology and Broadcasting	2004-2005	12	34	4 (33.33%)	6 (17.65%)
	2005-2006	16	31	1 (6.25%)	1 (3.23%)
	2006-2007	11	24	2 (18.18%)	2 (8.33%)

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Excludes the agenda items of "Confirmation of minutes", "Information papers issued since the last meeting", "Items for discussion at the next meeting" and other items for which the attendance of the Administration is not required.

Panel	Session	(a) Total number of meetings held *	(b) Total number of discussion items #	Attendance of Principal Officials	
				(c) Number of meetings attended (%)	(d) Number of discussion items attended (%)
Manpower	2004-2005	10	22	4 (40%)	6 (27.27%)
	2005-2006	12	24	1 (8.33%)	2 (8.33%)
	2006-2007	7	19	1 (14.29%)	2 (10.53%)
Planning, Lands and Works	2004-2005	16	27	8 (50%)	10 (37.04%)
	2005-2006	18	29	4 (22.22%)	6 (20.69%)
	2006-2007	13	22	8 (61.54%)	9 (40.91%)
Public Service	2004-2005	8	15	8 (100%)	13 (86.67%)
	2005-2006	11	22	10 (90.91%)	19 (86.36%)
	2006-2007	8	20	8 (100%)	18 (90%)
Security	2004-2005	15	31	7 (46.67%)	8 (25.81%)
	2005-2006	15	31	7 (46.67%)	8 (25.81%)
	2006-2007	8	19	1 (12.5%)	1 (5.26%)
Transport	2004-2005	17	39	4 (23.53%)	4 (10.26%)
	2005-2006	16	30	9 (56.25%)	9 (30%)
	2006-2007	10	24	1 (10%)	1 (4.17%)
Welfare Services	2004-2005	14	25	2 (14.29%)	2 (8%)
	2005-2006	18	27	1 (5.56%)	1 (3.7%)
	2006-2007	9	19	2 (22.22%)	2 (10.53%)
Total		693	1381	259 (37.37%)	348 (25.2%)

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