

Legislative Council Panel on Constitutional Affairs

Re-organisation of the Government Secretariat: Response to issues raised by Members at the meetings on 16 and 18 May 2007

This note sets out the Administration's response to issues raised about the transfer of the legal aid policy portfolio from the Administration Wing of the Chief Secretary for Administration's Office to the Home Affairs Bureau with effect from 1 July 2007 pursuant to the re-organisation plan.

Personnel and operational arrangements on legal aid matters within the Government Secretariat

2. At present, the responsibilities for formulating legal aid policy and overseeing the implementation of various legal aid schemes by the Legal Aid Department ("LAD") rest with the Administration Wing headed by the Director of Administration. The Director of Administration (D6) is underpinned by Deputy Director of Administration (2) (AOSGB) (D3), Assistant Director of Administration (2) (AOSGC) (D2), and Assistant Secretary of Administration (2) (AO) in overseeing the legal aid portfolio.

3. To ensure continuity, the team comprising one AOSGC post and one AO post will be transferred along with the re-organisation to the Home Affairs Bureau ("HAB") on 1 July 2007. Under the new set up, the Secretary for Home Affairs will be underpinned by the Permanent Secretary (AOSGA1) (D8), Deputy Secretary for Home Affairs (1) (AOSGB1)(D4), as well as the AOSGC and AO transferred from the Administration Wing of the Chief Secretary's Office.

Legal Aid Department

4. The transfer will not affect LAD's discharge of its statutory duties and its operation. It only means that the LAD will be under the purview of HAB instead of the Administration Wing. Both the Administration Wing and HAB report to the Chief Secretary for Administration.

Legal Aid Services Council

5. The transfer will also not affect the statutory role of the Legal Aid Services Council, which is to advise the Chief Executive on legal aid policy and to monitor the provision of service by LAD.

Constitutional Affairs Bureau
Administration Wing, Chief Secretary for Administration's Office
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