

**Response of the Administration to further enquiries
relating to the proposed creation of 24 positions
under the Political Appointment System**

The Administration prepared an information note on the use of public resources by officials under the Political Appointment System (LC Paper No. ESC 11/07-08), which we understand was circulated to Members on 7 December 2007. We also understand that the LegCo Secretariat prepared an information note on Operating Expenses Reimbursement (OER) (LC Paper No. ESC 14/07-08). On 12 December 2007, the LegCo Secretariat asked the Administration for further information on the use of government funds between LegCo Members and officials under the Political Appointment System, in the light of the LegCo Secretariat paper on OER.

2. In response to the further request, we would like to highlight the following points.

- (a) The provisions for the remuneration of and the departmental expenses incurred by the politically appointed officials are included in the annual Estimates in the same way as other similar expenses of the relevant bureaux or offices. The use of such resources is subject to the same financial rules and procedures applicable to government expenditure in general.
- (b) According to the “Code for Officials under the Political Appointment System”, politically appointed officials “shall not use any public resources for non-government purposes (including purposes relating to any political party)”.

3. The OER for LegCo Members is for the reimbursement of expenses they incur in the discharge of their LegCo duties and functions. As regards the departmental expenses for a bureau / office in the Government, it covers expenses that are directly related to the day-to-day running of the bureau / office. The provisions for the departmental expenses incurred by officials under the Political Appointment System are included in the annual Estimates in the same way as other similar expenses of the relevant bureaux / offices.

Constitutional and Mainland Affairs Bureau
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