

**Replies to supplementary written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2008-09**

**Director of Bureau : Secretary for Constitutional and Mainland Affairs
Session No. : 2**

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Examination of Estimates of Expenditure 2008-09
**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY WRITTEN QUESTION**

Reply Serial No.

S-CMAB 01

Question Serial No.

S014

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Provision for the Office of the Secretary for Constitutional and Mainland Affairs in 2008-09 is 118.0% higher than the original estimate in 2007-08. Will the work of the Office be enhanced significantly after the increase in provision? If yes, in what areas? How would the increased resources be distributed among various areas of work under the purview of the Office?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

Provision for 2008–09 under Programme (1) is \$5.6 million higher than the revised estimate for 2007–08. It is mainly due to the increased provisions for salary and general departmental expenses arising from the creation of one position of Under Secretary and one position of Political Assistant under the Political Appointment System, the creation of one secretarial post for strengthening support to the office, and other related expenses for administrative support.

2. The provision will facilitate the further development of the Political Appointment System which will provide the Secretary for Constitutional and Mainland Affairs with stronger support in undertaking political work, and in maintaining a professional, permanent, and impartial civil service. This will enhance the capacity of the Government to deliver the election manifesto of the CE to the public, and to meet the demands of “people-based governance”.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 11 April 2008

Examination of Estimates of Expenditure 2008-09
**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY WRITTEN QUESTION**

Reply Serial No.

S-CMAB 02

Question Serial No.

S015

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding the significant increase in the provision for 2008-09, has the expenditure incurred by the Secretary's public and community functions abroad and in Mainland China been taken into account?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

The higher level of provision for Programme (1) in 2008-09 is mainly due to the increased provisions for salary and general departmental expenses arising from the creation of one position each of Under Secretary and Political Assistant as well as a post of Senior Personal Secretary. The provision for the Secretary for Constitutional and Mainland Affairs to undertake overseas and Mainland visits is included in Programme (2). The visits will be conducted mainly for promoting the initiatives and projects under the purview of the Bureau, such as Pan-Pearl River Delta Co-operation, Hong Kong and Guangdong Co-operation, etc.

Signature _____

Name in block letters _____ **JOSHUA LAW**

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 11 April 2008

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SUPPLEMENTARY WRITTEN QUESTION**

Reply Serial No.

S-CMAB 03

Question Serial No.

S016

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Provision for Constitutional and Mainland Affairs in 2008-09 is 59.5% higher than the original estimate in 2007-08. In this regard, will the Bureau embark on some new areas of work, which it has not touched before? If yes, please provide the details. If no, what are the reasons for the significant increase?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

The financial provision for Constitutional and Mainland Affairs in 2008-09 is 59.5% higher than the original estimate in 2007-08, as the Bureau has embarked on the following new areas of work -

- (a) the initial phase of preparing for the HKSAR's participation in the Expo Shanghai 2010;
- (b) enhancing liaison and communication with the relevant Mainland Authorities and conducting research/studies for complementing the Nation's 12th Five-Year Plan; and
- (c) providing input and support to the Task Group on Constitutional Development under the Commission on Strategic Development.

2. The increase in the provision for Constitutional and Mainland Affairs is also due to the allocation of more resources for promotion of the Basic Law, strengthening support for Constitutional Affairs and related development, including conducting public consultation on the two electoral methods for 2012

and enhancing administrative support for smooth operation of the Bureau, and strengthening support for Mainland Affairs and other initiatives, such as Pan-Pearl River Delta Co-operation.

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SUPPLEMENTARY WRITTEN QUESTION**

Reply Serial No.

S-CMAB 04

Question Serial No.

S017

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : CMAB was responsible for coordinating liaison work with Taiwan organisations in Hong Kong. How much were spent in the past three years for the purpose, and under which expenditure head?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

The Constitutional and Mainland Affairs Bureau coordinates the government's liaison with Taiwan organisations in Hong Kong under the framework of the "One China" policy and "Qian's Seven Principles". In the past few years, we have strengthened our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. We have proactively liaised with a wide spectrum of sectors in Taiwan and received members of the Taiwan legislature, including those from Pan-Blue and Pan-Green camps. We have received officials at the county and city levels of Taiwan, including delegations led by the Mayor of Taichung city, the Taipei city council and other public institutions. We have also organised visit programmes for Taiwan media representatives, professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in Taiwan on the successful implementation of "One Country, Two Systems" in Hong Kong. We have also maintained good rapport with Taiwan organisations in Hong Kong.

2. In the past three years, we have allocated an average of \$160,000 per year under Head 144 for the purpose of conducting Taiwan related affairs. In addition, one Directorate officer at D2 rank and an Administrative Officer are responsible, among other things, for the liaison and coordination work in the Bureau under the supervision of senior management. In 2008-09, we will increase the provision to \$1.5 million so as to enhance the promotion of exchanges between Hong Kong and Taiwan.

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Date 11 April 2008

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Reply Serial No.

S-CMAB 05

Question Serial No.

S018

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Would more resources be allocated to strengthen liaison work with Taiwan after the “presidential election” in Taiwan?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

In 2008-09, the Constitutional and Mainland Affairs Bureau will provide more resources to further promote exchanges between Hong Kong and Taiwan. An amount of \$1.5 million has been earmarked for this purpose. Our major areas of work will include :

- (a) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (b) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan;
- (c) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors to understand the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (d) inviting individuals from different sectors in Taiwan to visit Hong Kong; and

(e) sponsoring seminars and other activities to foster mutual understanding.

Signature _____

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

Reply Serial No.

S-CMAB 06

Question Serial No.

S019

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: Regarding the aim of representing and promoting Hong Kong's trade and commercial interests in the Mainland stated under the item of "Liaison, Economic and Trade, and Investment Promotion Affairs", please advise whether the Administration is aware that following the adjustment of economic structure and amendment of the labour contract law in the Mainland, Hong Kong businessmen are facing increasing difficulties in running their business in the Mainland. How will the Administration fulfil the aforesaid aim if the estimated budget and manpower resources will not be increased?

Asked by: Hon. LAM Wai-keung, Daniel

Reply :

One of the aims of the Mainland Offices in the economic and trade area is to represent and promote Hong Kong's trade and commercial interests in the Mainland. The Mainland Offices adopt a multi-pronged approach in taking this forward. They do so by organising trade missions, seminars and exhibitions for Hong Kong investors, as well as collecting and disseminating information on business information in the Mainland (including those relating to new laws and policies) to facilitate Hong Kong investors to understand the local business environment and establish their network in the Mainland. They also proactively approach Hong Kong investors and follow up issues of common concern through appropriate channels. For example, in 2007, the Mainland Offices organised a series of seminars and workshops on areas of interest among Hong Kong investors, including those on new legislation and policies of the Mainland (such as the "Labour Contract Law" and processing trade policy), the Mainland and Hong Kong Closer Economic Partnership Arrangement, retail and commerce, and financial services. They also facilitated trade missions led by the Chief Executive to Jiangxi and Henan in January and April 2007, and trade missions to Hunan and Jiangxi led by the Secretary for Commerce and Economic Development in August and December 2007 etc.

2. In 2008-09, a sum of \$99.2 million has been earmarked under Programme (3) for the Mainland Offices to undertake liaison, economic and trade, and investment promotion work. This has taken into account the operational requirements of the Mainland Offices in enhancing their efforts in representing and promoting Hong Kong's trade and commercial interests in the Mainland in the coming year.

Signature _____

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Date 11 April 2008

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

Reply Serial No.

S-CMAB 07

Question Serial No.

S020

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: When working toward the above aim, how will the Bureau communicate and cooperate with the Commerce and Economic Development Bureau in distribution of duties so as to avoid overlapping of duties or conflict of policy?

Asked by: Hon. LAM Wai-keung, Daniel

Reply :

In April 2006, the Mainland Affairs Liaison Office (MALO) of the Constitutional and Mainland Affairs Bureau was set up to enhance communication and exchanges between the HKSAR Government and the Central Authorities, and to oversee the operation of the Beijing Office as well as Guangdong, Shanghai and Chengdu Economic and Trade Offices (the Mainland Offices).

2. The MALO is responsible for overseeing the resource management, personnel arrangements and administrative work of the Mainland Offices. The MALO also coordinates cooperation between the HKSAR Government and provincial/municipal governments. As for the Mainland Offices' economic and trade promotion functions, these offices would follow relevant policies and work programmes laid down by the Commerce and Economic Development Bureau (CEDB). There is good coordination amongst the bureaux concerned in guiding the work of the Mainland Offices under the various policy areas.

Signature _____

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Post Title _____
Permanent Secretary for
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Date _____ 11 April 2008

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SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB 08

Question Serial No.

S021

Head : 144 GS: Constitutional and Mainland
Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention : Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and' Mainland
Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : According to the reply to CMAB078, the Administration is conducting a comprehensive review of the PDPO jointly with PCPD to examine whether existing provisions of the Ordinance still afford adequate protection to personal data having regard to developments, including advancement in technology, in the last decade. How much resources have been deployed to implement this exercise, what is the timetable of the review and when will members of LegCo and members of the public be consulted?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The comprehensive review of the Personal Data (Privacy) Ordinance (PDPO) is carried out by the existing staff establishment of the Constitutional and Mainland Affairs Bureau responsible for privacy-related policy matters. Under the supervision of the senior management of this Bureau, one Directorate officer at D2 rank, an Administrative Officer and a Senior Executive Officer are responsible, among other things, for steering the review.

2. The conduct of the review is an integral part of the functions of the Office of the Privacy Commissioner for Personal Data (PCPD). The expenditure involved cannot be singled out and will be met by the proposed subvention of \$39.1 million to the PCPD in 2008-09.

3. We are discussing with the PCPD the various issues covered in the PDPO review. Given the complexity and number of issues involved, we need time to study the various issues carefully before deciding on the way forward, including the conduct of public consultation. We plan to brief the Home Affairs Panel of the Legislative Council on progress made later in the year.

Signature _____

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SUPPLEMENTARY WRITTEN QUESTION**

Reply Serial No.

S-CMAB 09

Question Serial No.

S022

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: Of the 18 062 and 20 941 enquiries handled by the Immigration Divisions of the Beijing Office and the Guangdong ETO in 2006 and 2007 respectively, how many of them required further follow-up actions?

Asked by: Hon. WONG Kwok-hing

Reply :

The vast majority of enquiries received by the Immigration Divisions of the Beijing Office and the Guangdong ETO in 2006 and 2007 were about general immigration policies and matters. Further follow-up actions were generally not required.

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Reply Serial No.

S-CMAB 10

Question Serial No.

S023

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: Of the 229 and 498 initial enquiries involving requests for assistance received by Mainland Offices in 2006 and 2007 respectively, how many of them required follow-up actions and what was the average processing time per case?

Asked by: Hon. WONG Kwok-hing

Reply :

The Mainland Offices (including the Beijing Office) handled a total of 306 and 375 requests for assistance in 2006 and 2007 respectively. However, they do not maintain separate statistics concerning initial enquiries for assistance requiring follow-up actions or the related average processing time.

Signature _____

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