

立法會
Legislative Council

LC Paper No. CB(3) 376/08-09

Ref : CB(3)/M/OR

Tel : 2869 9205

Date : 20 February 2009

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 11 March 2009

Proposed resolution under the Public Finance Ordinance

I forward for Members' consideration a proposed resolution which the Secretary for Financial Services and the Treasury will move at the Council meeting of 11 March 2009 under the Public Finance Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Financial Services and the Treasury will deliver when moving the proposed resolution, is also attached.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

PUBLIC FINANCE ORDINANCE

RESOLUTION

(Under section 7(1) of the Public Finance Ordinance
(Cap. 2))

RESOLVED that –

1. Authority is hereby given for a sum not exceeding \$61,075,637,000 to be charged on the general revenue for expenditure on the services of the Government in respect of the financial year commencing on 1 April 2009.
2. Subject to this Resolution, the sum so charged may be expended against the heads of expenditure as shown in the Estimates of Expenditure 2009-10 laid before the Legislative Council on 25 February 2009 or, where the Estimates are changed under the provisions of the Public Finance Ordinance (Cap. 2) as applied by section 7(2) of that Ordinance, as shown in the Estimates as so changed.
3. Expenditure in respect of any head of expenditure shall not exceed the aggregate of the amounts authorized by paragraph 4 to be expended in respect of the subheads in that head of expenditure.
4. Expenditure in respect of each subhead in a head of expenditure shall not exceed –

- (a) in the case of an Operating Account Recurrent subhead of expenditure, an amount equivalent to –
 - (i) except where the subhead is listed in Schedule 1 to this Resolution, 20% of the provision shown in the Estimates in respect of that subhead;
 - (ii) where the subhead is listed in Schedule 1 to this Resolution, the percentage of the provision shown in the Estimates in respect of that subhead that is specified in that Schedule in relation to that subhead;and
- (b) in the case of an Operating Account Non-Recurrent subhead of expenditure or a Capital Account subhead of expenditure, an amount equivalent to –
 - (i) except where the subhead is listed in Schedule 2 to this Resolution, 100% of the provision shown in the Estimates in respect of that subhead;
 - (ii) where the subhead is listed in Schedule 2 to this Resolution, the amount that is specified in that Schedule in relation to that subhead,

or such other amount, not exceeding an amount equivalent to 100% of the provision shown in the Estimates in respect of that subhead, as may in any case be approved by the Financial Secretary.

SCHEDULE 1

[para. 4(a)]

	Head of Expenditure		Subhead	Percentage of provision shown in Estimates
46	General Expenses of the Civil Service	013	Personal allowances	40
59	Government Logistics Department	225	Traffic Accident Victims Assistance Scheme – levies	100
90	Labour Department	280	Contribution to the Occupational Safety and Health Council	30
		295	Contribution to the Occupational Deafness Compensation Board	30
106	Miscellaneous Services	284	Compensation	40
120	Pensions	021	Ex gratia pensions, awards and allowances	50
		026	Employees' compensation, injury, incapacity and death related payments and expenses	50
152	Government Secretariat: Commerce and Economic Development Bureau (Commerce, Industry and Tourism Branch)	000	Operational expenses	25

155	Government Secretariat: Innovation and Technology Commission	000	Operational expenses	25
170	Social Welfare Department	157	Assistance for patients and their families	100
		176	Criminal and law enforcement injuries compensation	25
		177	Emergency relief	100
		179	Comprehensive social security assistance scheme	30
		180	Social security allowance scheme	30

SCHEDULE 2

[para. 4(b)]

	Head of Expenditure		Subhead	Amount \$
106	Miscellaneous Services	689	Additional commitments	0
		789	Additional commitments	1,000,000,000
184	Transfers to Funds	984	Payment to the Capital Works Reserve Fund	0
		988	Payment to the Loan Fund	0

Speech by the Secretary for Financial Services and the Treasury
Moving the Vote on Account Resolution
in the Legislative Council on 11 March 2009

President,

I move the motion standing in my name in the Agenda.

2. The purpose of this motion is to seek funds on account to enable the Government to carry on its services between the start of the financial year on 1 April 2009 and the enactment of the Appropriation Ordinance 2009. This is a long established and essential procedure.

3. In response to Members' comments on last year's resolution, we have made some changes to the arrangements for the resolution this year. First, we have scheduled this motion to be moved at least two weeks after the announcement of the Budget, in order to allow more time for Members to examine the resolution. Second, in respect of Suhead 689 and Subhead 789 Additional Commitments, we are seeking funds on account only on a need basis, instead of on the basis of the full-year provisions for the two subheads. We presented these changes to the Panel on Financial Affairs in December 2008 and obtained the Panel's support.

4. We have determined the funds on account sought under each subhead in accordance with the fourth paragraph of the resolution, by reference to the relevant provisions shown in the 2009-10 Estimates of Expenditure. Incorporating the requirements at subhead level, the initial amount of funds on account under each head is provided in the form of a

footnote to this speech. Prior to the enactment of the Appropriation Ordinance 2009, the aggregate amount of funds on account is \$61,075,637,000.

5. Subject to the above aggregate amount not being exceeded, the resolution enables the Financial Secretary to vary the funds on account in respect of any subhead, but these variations must not cause an excess over the amount of provision entered for that subhead in the 2009-10 Estimates of Expenditure. To increase transparency, we have earlier undertaken to submit reports to the Finance Committee of this Council in case the Financial Secretary has exercised this authority to meet necessary requirements. We also consulted the Panel on Financial Affairs on this reporting arrangement in December 2008. The Panel did not object to the arrangement.

6. The vote on account will be subsumed upon the enactment of the Appropriation Ordinance 2009.

7. President, I beg to move.

Footnote

Remarks : The initial amount of funds on account under each head will be presented to Members as soon as the Appropriation Bill 2009 is gazetted on 25 February 2009.

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LC Paper No. CB(3) 391/08-09

Ref : CB(3)/M/OR

Tel : 2869 9205

Date : 25 February 2009

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 11 March 2009

Proposed resolution under the Public Finance Ordinance

The speech which the Secretary for Financial Services and the Treasury will deliver when moving the above proposed resolution at the Council meeting of 11 March 2009 was issued under LC Paper No. CB(3) 376/08-09 on 20 February 2009. The footnote to the speech showing the details of heads of expenditure is enclosed for Members' reference.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

Footnote

Head of Expenditure	Amount shown in the Estimates	Initial amount of funds on account
	\$'000	\$'000
21 Chief Executive's Office	84,507	16,902
22 Agriculture, Fisheries and Conservation Department	930,068	246,047
25 Architectural Services Department	1,521,318	304,264
24 Audit Commission.....	122,364	24,473
23 Auxiliary Medical Service	70,154	15,862
82 Buildings Department	890,638	179,443
26 Census and Statistics Department	553,424	111,441
27 Civil Aid Service	82,067	16,790
28 Civil Aviation Department	712,824	142,565
33 Civil Engineering and Development Department ...	2,115,033	424,023
30 Correctional Services Department	2,698,592	556,604
31 Customs and Excise Department.....	2,485,416	590,491
37 Department of Health	4,120,690	1,036,133
92 Department of Justice	1,004,363	202,209
39 Drainage Services Department.....	1,769,653	382,866
42 Electrical and Mechanical Services Department.....	463,722	254,729
44 Environmental Protection Department.....	3,202,669	1,414,457
45 Fire Services Department	3,801,080	1,031,744
49 Food and Environmental Hygiene Department	4,453,871	936,957
46 General Expenses of the Civil Service.....	3,007,718	777,635

Head of Expenditure		Amount shown in the Estimates	Initial amount of funds on account
		\$'000	\$'000
166	Government Flying Service	275,591	128,820
48	Government Laboratory	319,449	96,712
59	Government Logistics Department	486,498	195,113
51	Government Property Agency.....	1,828,181	376,734
143	Government Secretariat : Civil Service Bureau	417,851	83,811
152	Government Secretariat : Commerce and Economic Development Bureau (Commerce, Industry and Tourism Branch)	1,221,053	320,126
55	Government Secretariat : Commerce and Economic Development Bureau (Communications and Technology Branch)	66,300	13,260
144	Government Secretariat : Constitutional and Mainland Affairs Bureau.....	465,160	157,816
138	Government Secretariat : Development Bureau (Planning and Lands Branch).....	308,957	221,792
159	Government Secretariat : Development Bureau (Works Branch)	239,041	50,489
156	Government Secretariat : Education Bureau.....	39,361,534	8,838,849
137	Government Secretariat : Environment Bureau	70,246	23,674
148	Government Secretariat : Financial Services and the Treasury Bureau (Financial Services Branch) ..	140,218	28,332
147	Government Secretariat : Financial Services and the Treasury Bureau (The Treasury Branch)	4,893,429	4,738,686
139	Government Secretariat : Food and Health Bureau (Food Branch)	97,459	19,492
140	Government Secretariat : Food and Health Bureau	33,387,074	7,287,383

Head of Expenditure	Amount shown in the Estimates	Initial amount of funds on account
	\$'000	\$'000
(Health Branch)		
53 Government Secretariat : Home Affairs Bureau	1,340,002	298,096
155 Government Secretariat : Innovation and Technology Commission	518,516	188,815
141 Government Secretariat : Labour and Welfare Bureau	569,440	164,152
47 Government Secretariat : Office of the Government Chief Information Officer	655,842	131,169
142 Government Secretariat : Offices of the Chief Secretary for Administration and the Financial Secretary	521,144	107,551
96 Government Secretariat : Overseas Economic and Trade Offices	314,701	71,181
151 Government Secretariat : Security Bureau	172,625	40,021
158 Government Secretariat : Transport and Housing Bureau (Transport Branch)	134,537	27,807
60 Highways Department	2,228,180	447,358
63 Home Affairs Department	1,625,816	374,414
168 Hong Kong Observatory	220,491	47,987
122 Hong Kong Police Force	12,573,067	2,682,366
62 Housing Department	130,531	26,107
70 Immigration Department	2,876,801	579,657
72 Independent Commission Against Corruption	808,148	161,630
121 Independent Police Complaints Council	28,283	7,163
74 Information Services Department	379,335	75,867

Head of Expenditure	Amount shown in the Estimates	Initial amount of funds on account
	\$'000	\$'000
76 Inland Revenue Department.....	1,276,595	255,319
78 Intellectual Property Department	98,261	19,653
79 Invest Hong Kong	111,562	56,313
174 Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service.....	27,271	5,455
80 Judiciary	1,118,507	245,795
90 Labour Department	1,134,197	352,187
91 Lands Department	1,793,888	361,173
94 Legal Aid Department.....	752,482	150,497
112 Legislative Council Commission	407,454	85,387
95 Leisure and Cultural Services Department	5,426,130	1,254,578
100 Marine Department.....	960,879	220,215
106 Miscellaneous Services	9,594,408	1,276,351*
114 Office of The Ombudsman	90,272	18,055
116 Official Receiver's Office	140,854	28,579
120 Pensions.....	17,582,620	3,532,779
118 Planning Department.....	485,532	110,807
136 Public Service Commission	17,090	3,418
160 Radio Television Hong Kong.....	507,957	137,416
162 Rating and Valuation Department.....	403,124	80,699
163 Registration and Electoral Office.....	78,444	15,689

Head of Expenditure		Amount shown in the Estimates	Initial amount of funds on account
		\$'000	\$'000
169	Secretariat, Commissioner on Interception of Communications and Surveillance	12,843	2,569
170	Social Welfare Department	39,105,111	10,614,700
173	Student Financial Assistance Agency	3,905,839	1,248,171
180	Television and Entertainment Licensing Authority .	191,132	82,995
181	Trade and Industry Department.....	581,080	364,895
186	Transport Department	1,216,175	313,549
188	Treasury	336,131	67,227
190	University Grants Committee.....	11,645,763	2,329,153
194	Water Supplies Department	5,755,418	1,154,748
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		247,522,690	61,066,437
184	Transfers to Funds.....	15,409,200	9,200
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	Total	262,931,890	61,075,637
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* The initial amount of funds on account under Head 106 includes \$1,000,000,000 under Subhead 789 Additional commitments for expected contribution to MPF accounts and for contingency.