

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 18 March 2009

Proposed resolution under the Public Finance Ordinance

Further to LC Paper No. CB(3) 376/08-09 issued on 20 February 2009, the Secretary for Financial Services and the Treasury has withdrawn the notice of the proposed resolution under the Public Finance Ordinance originally scheduled for the Council meeting of 11 March 2009.

2. Members are also invited to note that the Secretary for Financial Services and the Treasury has given fresh notice to move the same proposed resolution at the Council meeting of 18 March 2009. The President has directed that “it be printed in the terms in which it was handed in” on the Agenda of the Council.

3. 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 |

**(Subject to amendments having regard to the discussions at the
Sub-committee meeting)**

**Speech by the Secretary for Financial Services and the Treasury
Moving the Vote on Account Resolution
in the Legislative Council on 18 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

| 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 |
| | | <hr/> | <hr/> |
| | | 247,522,690 | 61,066,437 |
| 184 | Transfers to Funds..... | 15,409,200 | 9,200 |
| | | <hr/> | <hr/> |
| | Total | 262,931,890 | 61,075,637 |
| | | <hr/> <hr/> | <hr/> <hr/> |

* 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.