

政制及內地事務局局長
政府總部



SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS
GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
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香港下亞厘畢道

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3 July 2009

Mr Raymond Tang,
The Chairperson
Equal Opportunities Commission
19/F, Cityplaza Three, 14 Taikoo Wan Road
Taikoo Shing, Hong Kong

Dear Raymond,

**Separation of posts of Chairperson and Chief Executive Officer (CEO)
of the Equal Opportunities Commission (EOC)**

Thank you for your letter of 24 June 2009 conveying the views of the Members of the EOC regarding the captioned issue.

Earlier on, we have discussed the issue at the meeting of the Panel on Constitutional Affairs on 15 June. On that occasion, Members of the Legislative Council expressed diverse views. While most of the views were in favour of the separation of the posts under options (b) or (c) of the Panel paper discussed at the meeting, there were reservations about the separation of the posts, in particular over the conversion of the position of the Chairperson into a non-executive post, in that this might affect the ability of the EOC in carrying out its functions. Views have also been expressed that we would need to determine the issue before the open recruitment process for the new Chairperson.

We also note that, whilst the majority of Members present at the EOC meeting on 18 June were inclined towards option (b), there were views among EOC Members in support of both options.

After taking into account the comments received, we are of the view that at this stage, we should maintain the current position in respect of

the Chairperson, but reinstate the pre-2000 arrangement by creating a post at the level of Point 3 of the Directorate Pay Scale (D3) to oversee the administrative and operational matters and to strengthen the governance of the EOC. The position could be given the title of Chief Operations Officer (COO) to reflect the role of the post.

As to the existing role and post of the Director of Planning and Administration, as part of the duty of the post would be taken up by the new COO post, we would defer to the EOC to consider whether the position should revert to D1 level (i.e. the rank of this post before 2000).

In order not to affect the operation of the EOC, we will provide additional resources for the creation of the COO post.

Since the senior management of the EOC should function as a team, it would be advisable for the recruitment of the new COO post to be overseen by the new Chairperson when he or she takes up office.

The above arrangement would not involve any legislative amendment. It would enable the EOC to have the full-time involvement of the Chairperson at the current senior rank. It would also strengthen the administration and governance of the EOC. If, at a future date during the term of office of the new Chairperson, it is considered necessary to review these arrangements once again, we would be prepared to consider the views of the EOC, and that of other quarters of the community, at that time.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen Lam". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

(Stephen LAM)

Secretary for Constitutional and Mainland Affairs