

# 立法會 *Legislative Council*

立法會CB(3) 901/09-10號文件

2010年7月9日內務委員會會議文件

定於2010年7月14日立法會會議上提出的質詢

提問者：

- |      |                     |        |        |
|------|---------------------|--------|--------|
| (1)  | 吳靄儀議員               | (口頭答覆) |        |
| (2)  | 梁家傑議員               | (口頭答覆) |        |
| (3)  | 張國柱議員               | (口頭答覆) |        |
| (4)  | 陳克勤議員               | (口頭答覆) |        |
| (5)  | 李永達議員               | (口頭答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (6)  | 黃國健議員               | (口頭答覆) |        |
| (7)  | 黃毓民議員               | (書面答覆) | (新的質詢) |
|      | <i>(取代其原先提出的質詢)</i> |        |        |
| (8)  | 梁國雄議員               | (書面答覆) |        |
| (9)  | 陳偉業議員               | (書面答覆) |        |
| (10) | 湯家驊議員               | (書面答覆) |        |
| (11) | 王國興議員               | (書面答覆) |        |
| (12) | 何俊仁議員               | (書面答覆) |        |
| (13) | 張學明議員               | (書面答覆) |        |
| (14) | 黃成智議員               | (書面答覆) |        |
| (15) | 葉偉明議員               | (書面答覆) |        |
| (16) | 李慧琼議員               | (書面答覆) |        |
| (17) | 潘佩璆議員               | (書面答覆) |        |
| (18) | 石禮謙議員               | (書面答覆) |        |
| (19) | 李國寶議員               | (書面答覆) |        |
| (20) | 劉慧卿議員               | (書面答覆) |        |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

就修改2012年行政長官和立法會產生辦法  
而提出的議案獲通過後的跟進工作

# (5) 李永達議員 (口頭答覆)

關於政府就修改2012年行政長官和立法會產生辦法而動議的議案於本年6月23日的本會會議通過後的跟進工作，政府可否告知本會：

- (一) 會否向下屆特區政府推薦以一次性立法但分期執行的方式，使2017年的行政長官和2020年的立法會兩個選舉以真普選的方式進行；若會，詳情為何；若否，原因為何；
- (二) 會否向下屆特區政府建議在2016年取消立法會分組點票制度，以及如何在2017年降低行政長官選舉提名門檻及如何全面取消立法會功能界別議席，以便立法會在2020年，全面由符合《公民權利和政治權利國際公約》中“普及而平等”原則的普選方式產生；若會，詳情為何；若否，原因為何；及
- (三) 鑒於政府曾承諾在上述議案通過後盡早在本地立法層面就取消區議會委任議席問題提出建議，政府會否在2011年全面取消該等議席；若會，詳情為何；若否，原因為何？

Follow-up work to the passage of motions to amend  
the methods for the selection of the Chief Executive and  
for forming the Legislative Council in 2012

(5) Hon LEE Wing-tat (Oral Reply)

Regarding the follow-up work to the passage of the motions by this Council at the meeting of 23 June this year which were moved by the Government to amend the methods for selecting the Chief Executive (“CE”) and for forming the Legislative Council (“LegCo”) in 2012, will the Government inform this Council:

- (a) whether it will recommend to the next term of the SAR Government to adopt the approach of enacting the legislation in one go but implementing it by phases to enable the elections of CE in 2017 and LegCo in 2020 to be conducted by genuine universal suffrage; if it will, of the details; if not, the reasons for that;
- (b) whether it will suggest the next term of the SAR Government to abolish the split voting system of LegCo in 2016, and how to lower the nomination threshold for the CE election in 2017 and how to abolish all functional constituency seats of LegCo, so that in 2020 the entire LegCo will be returned by universal suffrage which fully conforms with the “universal and equal” principle stipulated in the International Covenant on Civil and Political Rights; if it will, of the details; if not, the reasons for that; and
- (c) given that the Government has undertaken to put forth expeditiously upon the passage of the aforesaid motions proposals at the local legislation level, to address the issue of abolishing appointed District Council seats, whether it will completely abolish such seats in 2011; if it will, of the details; if not, the reasons for that?

## 廉政公署的檢控政策及與檢控有關的人事編制

### # (7) 黃毓民議員 (書面答覆)

據報，康樂及文化事務署一名三級康樂助理員因經濟拮据，遂向一名下屬借款200元，其後被廉政公署(“廉署”)檢控，指其借款沒有行政長官的一般或特別許可；該名助理員承認一項訂明人員索取利益罪，而裁判官罕有地判他無條件釋放。關於廉署的檢控政策及與檢控有關的人事編制，政府可否告知本會：

- (一) 當局有否評估上述案件會否對律政司及廉署的公信力構成任何影響；若有，評估的結果為何；若否，原因為何；
- (二) 現時有何措施及指引避免在律政司及廉署決定提出檢控時，出現矯枉過正的情況；及
- (三) 當局有否評估現時廉署與檢控工作有關的人事編制的適當性；若有，評估結果為何；若否，原因為何？

## ICAC's prosecution policy and establishment in relation to prosecution

(7) Hon WONG Yuk-man (Written Reply)

It was reported that an Amenities Assistant III of the Leisure and Cultural Services Department borrowed \$200 from his subordinate because he was in financial difficulties, and was later prosecuted by the Independent Commission Against Corruption ("ICAC") for borrowing money without the general or special permission of the Chief Executive. The assistant concerned admitted that he had committed an offence of soliciting advantages in the capacity of a prescribed officer and the magistrate made a rare order that he be discharged absolutely. Regarding ICAC's prosecution policy and its establishment in relation to prosecution, will the Government inform this Council:

- (a) whether the authorities have assessed if the aforesaid case will have impact on the credibility of the Department of Justice ("DoJ") and ICAC; if an assessment has been conducted, of the outcome; if not, the reasons for that;
- (b) of the measures and guidelines put in place at present to avoid DoJ and ICAC from overdoing in rectification when making decisions to institute prosecutions; and
- (c) whether the authorities have assessed the appropriateness of ICAC's establishment in relation to prosecution work; if an assessment has been conducted, of the outcome; if not, the reasons for that?