

**Replies to initial written questions raised by Finance Committee Members  
in examining the Estimates of Expenditure 2010-11**

**Director of Bureau : Secretary for Constitutional and Mainland Affairs  
Session No. : 1**

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
<a href="#">CMAB001</a>	0006	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB002</a>	0007	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB003</a>	0008	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB004</a>	0090	Hon. FUNG Kin-kee, Frederick	144	Mainland Offices
<a href="#">CMAB005</a>	0091	Hon. FUNG Kin-kee, Frederick	144	Rights of the Individual
<a href="#">CMAB006</a>	0092	Hon. FUNG Kin-kee, Frederick	144	Rights of the Individual
<a href="#">CMAB007</a>	0093	Hon. FUNG Kin-kee, Frederick	144	Rights of the Individual
<a href="#">CMAB008</a>	0094	Hon. FUNG Kin-kee, Frederick	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB009</a>	0152	Hon. IP LAU Suk-yea, Regina	144	Mainland Offices
<a href="#">CMAB010</a>	0174	Hon. WONG Kwok-hing	144	Constitutional and Mainland Affairs
<a href="#">CMAB011</a>	0268	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB012</a>	0269	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB013</a>	0270	Hon. WONG Ting-kwong	144	Mainland Offices
<a href="#">CMAB014</a>	0271	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB015</a>	0272	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB016</a>	0273	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB017</a>	0274	Hon. WONG Ting-kwong	144	Constitutional and Mainland Affairs
<a href="#">CMAB018</a>	0275	Hon. WONG Ting-kwong	144	Mainland Offices
<a href="#">CMAB019</a>	0276	Hon. WONG Ting-kwong	144	Mainland Offices
<a href="#">CMAB020</a>	0277	Hon. WONG Ting-kwong	144	Mainland Offices

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
<a href="#">CMAB021</a>	0297	Hon. LEE Wai-king, Starry	144	Constitutional and Mainland Affairs
<a href="#">CMAB022</a>	0311	Hon. WONG Kwok-hing	144	Director of Bureau's Office Constitutional and Mainland Affairs Mainland Offices Rights of the Individual
<a href="#">CMAB023</a>	0312	Hon. WONG Kwok-hing	144	Constitutional and Mainland Affairs Rights of the Individual
<a href="#">CMAB024</a>	0313	Hon. WONG Kwok-hing	144	Director of Bureau's Office Constitutional and Mainland Affairs Mainland Offices Rights of the Individual
<a href="#">CMAB025</a>	1209	Hon. FUNG Kin-kee, Frederick	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB026</a>	1210	Hon. FUNG Kin-kee, Frederick	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB027</a>	1211	Hon. FUNG Kin-kee, Frederick	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB028</a>	1212	Hon. FUNG Kin-kee, Frederick	144	Director of Bureau's Office
<a href="#">CMAB029</a>	1213	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB030</a>	1214	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB031</a>	0344	Hon. HO Chung-tai, Raymond	144	Mainland Offices
<a href="#">CMAB032</a>	0345	Hon. HO Chung-tai, Raymond	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB033</a>	0484	Hon. LI Fung-ying	144	Constitutional and Mainland Affairs
<a href="#">CMAB034</a>	0485	Hon. LI Fung-ying	144	Mainland Offices
<a href="#">CMAB035</a>	0501	Hon. LEUNG Kwan-yuen, Andrew	144	Mainland Offices
<a href="#">CMAB036</a>	0515	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
				Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB037</a>	0516	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB038</a>	0517	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB039</a>	0518	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB040</a>	0521	Hon. HO Chun-yan, Albert	144	Mainland Offices
<a href="#">CMAB041</a>	0615	Hon. HO Chun-yan, Albert	144	Director of Bureau's Office
<a href="#">CMAB042</a>	1400	Hon. CHEUNG Hok-ming	144	Constitutional and Mainland Affairs
<a href="#">CMAB043</a>	0683	Hon. CHAN Kin-por	144	Constitutional and Mainland Affairs
<a href="#">CMAB044</a>	0684	Hon. CHAN Kin-por	144	Constitutional and Mainland Affairs
<a href="#">CMAB045</a>	0776	Hon. LAU Kin-ye, Miriam	144	Constitutional and Mainland Affairs
<a href="#">CMAB046</a>	0777	Hon. LAU Kin-ye, Miriam	144	Constitutional and Mainland Affairs
<a href="#">CMAB047</a>	0806	Hon. LEE Cheuk-yan	144	Rights of the Individual
<a href="#">CMAB048</a>	1624	Hon. LI Fung-ying	144	Constitutional and Mainland Affairs
<a href="#">CMAB049</a>	1969	Hon. HO Sau-lan, Cyd	144	Director of Bureau's Office Constitutional and Mainland Affairs Mainland Offices Rights of the Individual
<a href="#">CMAB050</a>	1980	Hon. HO Sau-lan, Cyd	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB051</a>	1985	Hon. HO Sau-lan, Cyd	144	Constitutional and Mainland Affairs
<a href="#">CMAB052</a>	1986	Hon. HO Sau-lan, Cyd	144	Rights of the Individual
<a href="#">CMAB053</a>	1997	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB054</a>	1998	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
				Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB055</a>	1999	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB056</a>	2000	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB057</a>	2001	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB058</a>	2002	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB059</a>	2003	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB060</a>	2004	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB061</a>	2005	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB062</a>	2006	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB063</a>	2007	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB064</a>	2020	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB065</a>	2021	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB066</a>	2022	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
<a href="#">CMAB067</a>	2177	Hon. CHEUNG Kwok-che	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB068</a>	1089	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB069</a>	1090	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB070</a>	1091	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB071</a>	1092	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB072</a>	1093	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB073</a>	1094	Hon. IP Kwok-him	144	Mainland Offices
<a href="#">CMAB074</a>	1095	Hon. IP Kwok-him	144	Mainland Offices
<a href="#">CMAB075</a>	1096	Hon. IP Kwok-him	144	Rights of the Individual
<a href="#">CMAB076</a>	1097	Hon. IP Kwok-him	144	Constitutional and Mainland Affairs
<a href="#">CMAB077</a>	2251	Hon. TAM Yiu-chung	144	Constitutional and Mainland Affairs
<a href="#">CMAB078</a>	2252	Hon. TAM Yiu-chung	144	Constitutional and Mainland Affairs
<a href="#">CMAB079</a>	2253	Hon. TAM Yiu-chung	144	Constitutional and Mainland Affairs
<a href="#">CMAB080</a>	2254	Hon. TAM Yiu-chung	144	Constitutional and Mainland Affairs
<a href="#">CMAB081</a>	2255	Hon. TAM Yiu-chung	144	Constitutional and Mainland Affairs
<a href="#">CMAB082</a>	2256	Hon. TAM Yiu-chung	144	Mainland Offices
<a href="#">CMAB083</a>	2257	Hon. TAM Yiu-chung	144	Mainland Offices
<a href="#">CMAB084</a>	2258	Hon. TAM Yiu-chung	144	Mainland Offices
<a href="#">CMAB085</a>	2259	Hon. TAM Yiu-chung	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB086</a>	2260	Hon. TAM Yiu-chung	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB087</a>	2261	Hon. TAM Yiu-chung	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
<a href="#">CMAB088</a>	2393	Hon. EU Yuet-mee, Audrey	144	Director of Bureau's Office Constitutional and Mainland Affairs Mainland Offices Rights of the Individual
<a href="#">CMAB089</a>	2394	Hon. EU Yuet-mee, Audrey	144	Director of Bureau's Office Constitutional and Mainland Affairs Mainland Offices Rights of the Individual
<a href="#">CMAB090</a>	2559	Hon. CHEUNG Kwok-che	144	Rights of the Individual
<a href="#">CMAB091</a>	2593	Hon. TSE Wai-chun, Paul	144	Constitutional and Mainland Affairs
<a href="#">CMAB092</a>	2605	Hon. LEUNG Mei-fun, Priscilla	144	Constitutional and Mainland Affairs
<a href="#">CMAB093</a>	2619	Hon. SHEK Lai-him, Abraham	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB094</a>	2642	Hon. NG Margaret	144	Constitutional and Mainland Affairs
<a href="#">CMAB095</a>	2643	Hon. NG Margaret	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB096</a>	2801	Hon. LEUNG Mei-fun, Priscilla	144	Constitutional and Mainland Affairs
<a href="#">CMAB097</a>	2802	Hon. LEUNG Mei-fun, Priscilla	144	Constitutional and Mainland Affairs
<a href="#">CMAB098</a>	2803	Hon. LEUNG Mei-fun, Priscilla	144	Mainland Offices
<a href="#">CMAB099</a>	2812	Hon. NG Margaret	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB100</a>	2813	Hon. NG Margaret	144	Rights of the Individual
<a href="#">CMAB101</a>	2821	Hon. LAU Wai-hing, Emily	144	Constitutional and Mainland Affairs
<a href="#">CMAB102</a>	2822	Hon. LAU Wai-hing, Emily	144	Constitutional and Mainland Affairs
<a href="#">CMAB103</a>	2823	Hon. LAU Wai-hing, Emily	144	Constitutional and Mainland Affairs
<a href="#">CMAB104</a>	2824	Hon. LAU Wai-hing, Emily	144	Director of Bureau's Office
<a href="#">CMAB105</a>	2825	Hon. LAU Wai-hing, Emily	144	Mainland Offices

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
<a href="#">CMAB106</a>	2995	Hon. WONG Kwok-kin	144	Constitutional and Mainland Affairs
<a href="#">CMAB107</a>	2996	Hon. WONG Kwok-kin	144	Constitutional and Mainland Affairs
<a href="#">CMAB108</a>	2997	Hon. WONG Kwok-kin	144	Mainland Offices
<a href="#">CMAB109</a>	2998	Hon. WONG Kwok-kin	144	Constitutional and Mainland Affairs
<a href="#">CMAB110</a>	2999	Hon. WONG Kwok-kin	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB111</a>	3021	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB112</a>	3022	Hon. FUNG Kin-kee, Frederick	144	Constitutional and Mainland Affairs
<a href="#">CMAB113</a>	3187	Hon. LAM Tai-fai	144	Constitutional and Mainland Affairs
<a href="#">CMAB114</a>	0851	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB115</a>	0852	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB116</a>	0853	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB117</a>	0854	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB118</a>	0855	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
<a href="#">CMAB119</a>	0856	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB120</a>	0857	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB121</a>	0858	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB122</a>	0859	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
<a href="#">CMAB123</a>	0314	Hon. WONG Kwok-hing	163	Electoral Services
<a href="#">CMAB124</a>	0315	Hon. WONG Kwok-hing	163	Electoral Services
<a href="#">CMAB125</a>	0316	Hon. WONG Kwok-hing	163	Electoral Services
<a href="#">CMAB126</a>	0622	Hon. HO Chun-yan, Albert	163	Electoral Services
<a href="#">CMAB127</a>	0948	Hon. LEUNG Mei-fun,	163	Electoral Services

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
		Priscilla		
<a href="#">CMAB128</a>	1088	Hon IP Kwok-him	163	Electoral Services
<a href="#">CMAB129</a>	1144	Hon LEUNG Mei-fun, Priscilla	163	Electoral Services
<a href="#">CMAB130</a>	1145	Hon LEUNG Mei-fun, Priscilla	163	Electoral Services
<a href="#">CMAB131</a>	1555	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB132</a>	1556	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB133</a>	1557	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB134</a>	1558	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB135</a>	1559	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB136</a>	2268	Hon TAM Yiu-chung	163	Electoral Services
<a href="#">CMAB137</a>	2395	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB138</a>	2396	Hon EU Yuet-mee, Audrey	163	Electoral Services
<a href="#">CMAB139</a>	3191	Hon. TONG Ka-wah, Ronny	163	Electoral Services

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB001**

Question Serial No.

0006

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 : It is mentioned under Matters Requiring Special Attention that the Bureau will “summarise the views received during the public consultation on the two electoral methods for 2012.....”In this connection, would the Administration advise this Committee on the expenses and staffing involved in the whole consultation exercise, an initial analysis of the views received, and the time when the findings of the consultation exercise and proposed amendments to Annexes I and II to the Basic Law are expected to be presented?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The total expenditure of the public consultation exercise on the 2012 electoral arrangements is about \$4.4 million, of which about \$2.3 million is spent mainly on printing of the consultation documents, organizing open and regional forums and publicity. The remaining \$2.1 million concerns staff cost.

2. Regarding the staffing involved, one directorate officer at D2 level and one Senior Administrative Officer are responsible for handling tasks relating to the public consultation exercise. These posts are part of our current establishment and the officers undertook the public consultation exercise in addition to other duties. Furthermore, four posts comprising one Senior Executive Officer, one Executive Officer I and two Assistant Clerical Officers have been created to assist in handling the relevant tasks starting July 2009. We have also created one Administrative Officer post and one Personal Secretary II post in 2009-10 to provide assistance.

3. The public consultation period ended on 19 February 2010. Different political parties, organizations and individuals have put to us more than 40000 submissions and 1.6 million signatures. We are still summarizing and concluding the views received. All views received during the public consultation period will be published for public reference.

4. We have yet to decide the timing for putting forth the Government's proposed package on the two electoral methods for 2012. Our aim is to complete the process of amending Annexes I and II to the Basic Law before the summer recess of the Legislative Council in 2010.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB002**

Question Serial No.

0007

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 : It is mentioned under Matters Requiring Special Attention that the Bureau will “work closely with the Electoral Affairs Commission to conduct by-elections to the LegCo and District Councils.....”In this connection, please list in detail the work, related expenses and staffing involved in the LegCo by-election scheduled to be conducted in mid-May.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

To prepare for the 2010 Legislative Council by-election for the five geographical constituencies (“LegCo by-election”), the Constitutional and Mainland Affairs Bureau (“CMAB”) is working closely with the Electoral Affairs Commission (“EAC”) on the necessary preparatory work (e.g. identification of polling stations, recruitment of electoral staff, voting and counting arrangements). We are also co-ordinating with various government departments on the publicity work for the upcoming by-election.

2. These tasks form an integral part of the Bureau’s election-related policy work in 2010-11 and are carried out by the existing staff establishment of the Bureau.

3. The EAC has the statutory responsibility for the conduct and supervision of elections. The Registration and Electoral Office (“REO”) provides the EAC with the necessary support in conducting the LegCo by-election. The costs for conducting the LegCo by-election will be met by the REO.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB003**

Question Serial No.

0008

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 : It is mentioned under Matters Requiring Special Attention that the Bureau will “co-ordinate and enhance exchanges and co-operation with Taiwan.....” In this connection, please list in detail the related work programmes carried out last year (i.e. 2009-10) and the expenditure involved, and advise on the specific work plan and work programmes for next year and the expenditure involved.

Asked by : Hon. FUNG Kin-kee, Frederick

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”.

2. In 2009-10, we continued to strengthen our liaison and relations with a wide spectrum of sectors in Taiwan. We have received prominent political figures as well as officials of Taiwan, including representatives of the Straits Exchange Foundation, delegations led by the Mayor of Taichung City, Mayor of Taipei City, the Magistrate of Taipei County, and other public institutions. To foster exchanges with cities and counties of Taiwan, we organised the first “Hong Kong-Taiwan Inter-City Forum” with Taichung City in April 2009 and exchanged views on issues related to economic and trade development and tourism. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in Taiwan on the implementation of “One Country, Two Systems” principle in Hong Kong.

3. We have sponsored local non-governmental organisations for organising Hong Kong-Taiwan seminars on topics of mutual interests to both places. We have also sponsored the organisation of study tours for students among Hong Kong, the Mainland and Taiwan. Over 300 students participated in these study tours to exchange views, enhance mutual understanding and build up friendship.

4. In June 2009, Secretary for Constitutional and Mainland Affairs led an official delegation to Taipei and reached agreement with Taiwan authorities on the setting up of bilateral business cooperation committees. At the invitation of Taichung City Government, Secretary for Constitutional and Mainland Affairs and Secretary for Commerce and Economic Development led a delegation to visit Taichung in March 2010 to attend their lantern festival. We took the opportunity to promote tourism in Hong Kong. The HKSAR Government organised the “Hong Kong Night” variety show on 6 March to feature Hong Kong theme parks and our creative arts talent.

5. In 2010-11, we will continue to enhance exchanges and cooperation with Taiwan. Our major work will include –

- (a) setting up the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) as a new platform to enhance cooperation in various policy areas with the Taiwan-Hong Kong Economic and Culture Co-operation Council;
- (b) fostering exchanges with cities and counties of Taiwan through organising activities such as “Hong Kong-Taiwan Inter-City Forum”;
- (c) sponsoring non-governmental organisations for organising forum, seminar and related activities which promote Hong Kong-Taiwan exchanges;
- (d) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (g) 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”.

6. The expenditure involved in promoting exchanges with Taiwan in 2009-10 was about \$4 million. In 2010-11, we have reserved \$4 million for such exchanges with Taiwan. In addition, we have reserved sufficient provisions for the activities of the ECCPC and other related work.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB004**

Question Serial No.

0090

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  
Secretary for Commerce and Economic Development  
Secretary for Security

Question : It is mentioned under Matters Requiring Special Attention in 2010-11 that “Guangdong ETO will establish a dedicated unit for liaison with Shenzhen.....” In this connection, would the Administration advise this Committee: the detailed work plan of the new unit, as well as the expenditure and staffing involved.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

As announced in the 2009-10 Policy Address, a new Shenzhen Liaison Unit (the Unit) will be set up under the Hong Kong Economic and Trade Office in Guangdong (GDETO). The Unit will be tasked to deal with the increasing heavy workload relating to closer Hong Kong-Guangdong and Hong Kong-Shenzhen cooperation, including :

- (a) liaising with relevant Shenzhen authorities to enhance the cooperation between Hong Kong and Shenzhen;
- (b) facilitating the liaison on the cooperation between Hong Kong and Shenzhen in the promotion of service industries in Qianhai and other new initiatives;
- (c) providing support to Hong Kong enterprises in Shenzhen; and
- (d) handling enquiries and requests for assistance from Hong Kong people in Shenzhen.

2. The Unit will be headed by a Principal Trade Officer who is underpinned by a few locally engaged supporting staff. The annual operating cost of the Unit, including staff cost, is estimated to be \$2.9 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB005**

Question Serial No.

0091

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned under Matters Requiring Special Attention in 2010-11 that the Bureau will “continue to oversee the operation of the four support services centres for ethnic minorities”. In this connection, would the Administration advise this Committee: the respective expenditure incurred by and the staffing of each centre in the past year (i.e. 2009-10), as well as their estimated expenditure and staffing support in 2010-11. Has any evaluation on the effectiveness of the four support services centres been conducted in the past? If yes, what are the findings? Has any improvement been made in the light of the circumstances?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The estimated expenditure and staffing of each of the centres in 2009-10 are as follows –

<b>Centre</b>	<b>Expenditure* (\$)</b>	<b>Staffing**</b>	
		Full time	Part time
Hong Kong Christian Service CHEER Centre	4.37 million	29	12
International Social Service HK Branch HOPE Centre	4.35 million	9	7
Yuen Long Town Hall Support Service Centre	4.16 million	11	3
Christian Action SHINE Centre	4.07 million	11	8
Total		60	30
<b>Grand total</b>	<b>16.95 million</b>		<b>90</b>

\* Including part of the one-off setting up cost, and part year operating cost in 2009-10.

\*\* Figures as at 15 March 2010.

2. The estimated expenditure and staffing of each of the centres in 2010-11 are as follows-

Centre	Expenditure (\$)	Staffing	
		Full time	Part time
Hong Kong Christian Service CHEER Centre	7.15 million	29	12
International Social Service HK Branch HOPE Centre	3.25 million	10	23
Yuen Long Town Hall Support Service Centre	4.60 million	16	23
Christian Action SHINE Centre	4.57 million	15	28
Total		70	86
<b>Grand Total</b>	<b>19.57 million</b>	<b>156</b>	

3. The four centres commenced services at different times during May to September 2009. We have been monitoring closely their operation. So far, the four centres have been running smoothly. In general, feedback from service users and ethnic minority communities has been positive. We have taken into account feedback and suggestions from the community for further improvement of the services, such as the provision of additional funding to the centres to provide after-school tutorial classes for ethnic minority students at schools and the centres. We will continue to monitor the operation and performance of the centres through gathering feedback from the community, conducting visits, and other monitoring mechanisms such as reports and user evaluation of the activities and services of the centres.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB006**

Question Serial No.

0092

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned under Matters Requiring Special Attention in 2010-11 that the Bureau will “continue to promote the rights of children”. In this connection, would the Administration advise this Committee on the actual work performed in this area, the respective expenditure of activities and projects conducted in the past year (i.e. 2009-10), as well as the work expected to be carried out in 2010-11 and the estimated expenditure. Has any evaluation on the effectiveness of such work been conducted in the past? If yes, what are the findings?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government is committed to promoting public awareness of and respect for the rights of children. In 2009-10, the major activities in promoting children’s rights and the corresponding expenditure in 2009-10 (excluding manpower resources which are absorbed by the existing establishment of the Bureau) are –

- (a) the Children’s Rights Education Funding Scheme (the Funding Scheme), which encourages community participation in promotion of public education on children’s rights through providing funding for non-government organisations (NGOs) to carry out relevant projects. The expenditure is about \$1 million;
- (b) sponsoring the Children’s Council project, which is co-organised by three NGOs. The project aims at fostering children’s interest in public affairs. The expenditure is \$200,000;
- (c) the Children’s Rights Forum, which provides a direct channel for Government to exchange views on matters concerning children’s welfare and development with children representatives and relevant NGOs. The activity does not incur significant expenditure;

- (d) sponsoring NGOs to produce educational and promotion materials to raise public understanding and awareness of the United Nations Convention on the Rights of the Child (UNCRC). The expenditure is \$150,000;
- (e) production and broadcasting of Announcement in the Public Interest on respecting children's rights. The expenditure is \$380,000; and
- (f) re-printing the comic book on the UNCRC, which has run out of stock. The expenditure is \$280,000.

2. The total expenditure incurred in 2009-10 (excluding manpower resources) is \$2.01 million. Of this total amount \$700,000 is for activities which have been on-going in recent years and have remained at a similar level (i.e. about \$500,000 for part of item (a) above and \$200,000 for item (b)). The remainder is non-recurrent in nature, comprising \$1.03 million for special activities to commensurate the 20<sup>th</sup> anniversary of the UNCRC (i.e. about \$500,000 to beef up item (a) and items (d) and (e)) and \$280,000 for re-printing the comic book on the UNCRC.

3. In 2010-11, the Government will continue our promotion efforts. The estimated expenditure for the financial year, excluding manpower resources, is \$1.21 million. We will continue to convene the Children's Rights Forum, sponsor NGOs in the promotion of children's rights through the Funding Scheme and sponsor the Children's Council project and other NGOs as appropriate. After the publication of the Second Report of the HKSAR on the UNCRC, we will also prepare a "child-friendly" version of the Report for easy understanding by children and young people.

4. The effectiveness of the work in promoting the rights of the children is continually monitored and evaluated by the Government and relevant organising bodies. For example, survey on the participants' response and evaluation report are requirements for sponsorship under the Funding Scheme. The feedback on activities under the Funding Scheme is generally satisfactory. In addition, we maintain close liaison with stakeholders through channels such as the Children's Rights Forum to seek views and comments regarding promotion activities. We will continue to monitor and evaluate the activities through various channels.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB007**

Question Serial No.

0093

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned under Matters Requiring Special Attention in 2010-11 that the Bureau will “continue to provide bureaux and departments with advice and guidance on matters related to compliance with the Code on Access to Information”. Recently, the Office of The Ombudsman has criticised the inadequacies of a number of government departments, including the CE’s Office, the Buildings Department and the Food and Environmental Hygiene Department, in implementing the Code on Access to Information. Would the Administration advise this Committee: the work in this area in the past year (i.e. 2009-10) and the expenditure incurred? Has any comprehensive review been conducted in the light of The Ombudsman’s criticisms? Have concrete improvement measures been worked out to strengthen the proper and effective implementation of views and guidelines by bureaux and departments? What is the estimated increase in expenditure in 2010-11?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government is committed to the proper implementation of and compliance with the Code on Access to Information (the Code). The Constitutional and Mainland Affairs Bureau (CMAB) has been actively promoting the Code within the Government to facilitate compliance. In 2009-10, CMAB organized various promotion and training programmes, such as issuing circular memorandum/emails, frequently asked questions and precedent cases, including the Code in relevant grades’ regular training programmes, and organising briefings/training for Access to Information Officers (AIOs) and trainers of bureaux and departments (B/Ds).

2. In 2009-10, we incurred an expenditure of about \$1 million for conducting publicity to raise public awareness on the Code. It covered production of TV and radio announcements in the public interest (API); launching of the TV API through the broadcasting systems in buses and railways; light box advertisement at Mass Transit Railway stations and production of posters and banners for display at various public leisure/cultural/sports centres and District Offices of the Home Affairs Department.

3. We attach great importance to the observations and recommendations in The Ombudsman's Direct Investigation Report. The CMAB is working with B/Ds to implement appropriate measures to follow up on the recommendations. In 2010-11, we will implement the following measures:

- (a) provide more timely training for AIOs. Where appropriate, training will be conducted in a small group briefing format. Refresher training for all AIOs will be organized;
- (b) work with B/Ds to organise more regular training for their staff. B/Ds are requested to report on a quarterly basis to the CMAB on in-house training sessions conducted;
- (c) monitor complaints lodged with The Ombudsman closely. B/Ds are required to report to the CMAB complaint cases relating to requests for information upon receipt of the referral from The Ombudsman's Office;
- (d) review the General Circular on the Code and the format of the quarterly return for reporting by B/Ds on requests for information processed;
- (e) beef up precedent cases for reference by B/Ds; and
- (f) continue to update the list of frequently asked questions. We have recently requested B/Ds to update their internal circular and guidelines on the Code.

4. To enhance publicity, the CMAB will add a Chinese version of the Guidelines on Interpretation and Application to the Government webpage on the Code. We have also required all departments to add an introductory note on the Code on their homepages and arrange a hyperlink to the webpage on the Code. We are also following up with other public bodies within The Ombudsman's purview so that they can adopt the Code or a similar guide.

5. For promotion of the Code to the public, we have earmarked \$813,000 in 2010-11. This amount is slightly lower than that for 2009-10 as there is no need to produce a new API. In 2010-11, CMAB will continue to broadcast the APIs on television, radio and the internet and through the broadcasting systems in buses and railways, and post advertisement in Mass Transit Railway stations and posters in various government premises.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB008**

Question Serial No.

0094

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 : It is mentioned under Matters Requiring Special Attention in 2010-11 that the EOC will pay attention to “following up the recommendations of the Director of Audit’s Report No. 52 and the respective Public Accounts Committee report” which have also made criticisms on corporate governance and waste of public funds etc. Would the Administration advise this Committee: the progress of implementing the recommendations of the reports and the reasons for accepting or not accepting the recommendations.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government and the Equal Opportunities Commission (EOC) accept all the recommendations of the Director of Audit’s Report No. 52 and the respective Public Accounts Committee report in respect of the EOC. The Board of EOC has carefully examined the findings and recommendations in the reports and has taken appropriate improvement measures. Most of the improvement measures have been implemented.

2. Further to the progress made in implementing the various recommendations as set out in the Government Minute tabled in the Legislative Council in October 2009, the EOC will, through open recruitment, fill the post of Chief Operations Officer as soon as possible to oversee administrative and operational matters with a view to strengthening the governance of EOC. Furthermore, EOC engaged an external auditor in December 2009 to follow up the recommendations and to enhance EOC’s internal financial control and management capabilities. The external auditor is expected to complete the study and make recommendation to the EOC in the near future.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB009**

Question Serial No.

0152

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 : It is mentioned that “the BJO continued to sponsor the production and broadcasting of three weekly radio programmes to promote Hong Kong and to update Mainland residents on the latest developments in Hong Kong. The BJO also worked jointly with the People’s Daily Online to produce a Hong Kong webpage to reach out to Internet users”. Has the Administration evaluated the effectiveness of such publicity works?

Asked by : Hon. IP LAU Suk-ye, Regina

Reply :

To enable Mainland residents to better understand Hong Kong, the Beijing Office makes use of various publicity and promotional means including radio programmes and webpage. The three weekly radio programmes, “Beijing-Hong Kong Through Train” (京港直通車), “Tuning-in for Hong Kong” (每周聽香港) and “Exploring Hong Kong” (走進香港), are broadcast in different geographical areas of the Mainland for the purpose of reaching out to different target audience. There is also a webpage featuring Hong Kong on the People’s Daily Online (人民網) to get in touch with internet-users.

2. We have been conducting regular evaluation of the radio programmes and the webpage through the media organisations concerned, i.e. the China National Radio (中央人民廣播電台) and the People’s Daily Online, to assess their effectiveness. In gauging the effectiveness, we take into account the listening rate of the radio programmes and the hit rate of the webpage as well as the feedback from the audience.

3. According to the evaluation, on average, about 2.72 million people listened to “Beijing-Hong Kong Through Train” each time when the programme was aired in 2009. The corresponding figures for “Tuning-in for Hong Kong” and “Exploring Hong Kong” were about 12.53 million and 7.75 million respectively. The listening rate of the three radio programmes has been on a rising trend in general. As to the audience profile, the three programmes covered a wide spectrum of the community, ranging from the business sector, the government and the academia to the public at large.

4. The hit rate of the webpage on Hong Kong has also been increasing steadily since the launch of the webpage in mid 2007. The average number of visits per month (月均訪問量) in 2009 is 0.74 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB010**

Question Serial No.

0174

Head : 144 GS: Constitutional and  
Mainland Affairs Bureau

Subhead (No. & title) : 000

Operational  
expenses

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 : Please provide the following information on the procurement of services of employment agencies (EAs) by the Constitutional and Mainland Affairs Bureau in the past three years (i.e. 2007-08, 2008-09 and 2009-10) and 2010-11 (see table below):

- (a) the number of contracts signed with the EAs;
- (b) the contract sum and term of service for each EA;
- (c) the number of workers supplied by each EA and their duties;
- (d) details of the workers' salaries payable by each EA. What is the range of monthly salaries and that of daily or hourly wages?
- (e) with regard to the above information, please provide the respective numbers and percentages of change for each year:

	2010-11	2009-10	2008-09	2007-08
Number of contracts signed with EAs	( )	( )	( )	( )
Contract sum for each EA	( )	( )	( )	( )
Term of service for each EA	( )	( )	( )	( )
Number of workers supplied by each EA and their duties	( )	( )	( )	( )
The workers' salaries (maximum, median and minimum salaries) payable by each EA	( )	( )	( )	( )

( ) percentage of change

- (f) the proportion of workers supplied by the EAs in the existing staff in the department; and
- (g) the proportion of expenditure on procuring the services of the EAs in departmental expenses.

Asked by : Hon. WONG Kwok-hing

Reply :

Information on the procurement of services of EAs by the Constitutional and Mainland Affairs Bureau (CMAB) is provided below –

	Type of Contract	2010-11 (Note 1)	2009-10	2008-09	2007-08 (Note 2)
Number of contracts signed with EAs	T-Contract (Note 3)	-	1 (0%)	1 (-)	-
	Others	-	3 (+50%)	2 (-)	-
Contract sum for each EA	T-Contract (Note 3)	-	\$0.64 million (+106%)	\$0.31 million (-)	-
	Others	-	\$0.24 million (-59%) to \$0.96 million (+14%)	\$0.58 million (-) to \$0.84 million (-)	-
Term of service for each EA	T-Contract (Note 3)	-	24 months (+100%)	12 months (-)	-
	Others	-	12 months (0%) to 24 months (+14%)	12 months (-) to 21 months (-)	-
Number of workers supplied by each EA and their duties	T-Contract (Note 3)	-	1 Information technology support	1 Information technology support	-
	Others	-	2 to 4 General office support	4 General office support	-
The workers' salaries (maximum, median and minimum) payable by each EA	T-Contract (Note 3)	The contracts CMAB enters into with EAs specify the service fee charged by the latter in providing agency workers. CMAB normally does not specify the wages of agency workers. Hence, the information requested is not available.			
	Others				

	Type of Contract	2010-11 (Note 1)	2009-10	2008-09	2007-08 (Note 2)
Proportion of workers supplied by the EAs to the existing staff in CMAB (Note 4)	T-Contract (Note 3)	-	0.69%	0.79%	-
	Others	-	6.94%	6.35%	-
Proportion of expenditure on procuring the services of the EAs to CMAB's expenses	T-Contract (Note 3)	-	0.08%	0.06%	-
	Others	-	0.31%	0.10%	-

( ) percentage of change

Note 1 Figures are not available as the number of agency workers varies from time to time in the light of changing service and operational requirements.

Note 2 CMAB did not procure services of EAs in 2007-08.

Note 3 T-contract refers to term contract centrally administered by the Office of the Government Chief Information Officer.

Note 4 The percentage of agency workers as compared with total staff is for 31 March of the financial year concerned and is not representative of the situation for that financial year.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB011**

Question Serial No.

0268

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 : With regard to paragraph 15 under the Brief Description, please provide the following information:

- (a) What is the nature of work of the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council to be established in Hong Kong? What are the differences in the nature of work of this Council and the other similar organisations established earlier (such as the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations)? What are the Council's staffing and expenditure requirements?
- (b) Please advise on the earliest and latest dates for setting up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council and the time when it will come into operation, its composition and membership?

Asked by : Hon. WONG Ting-kwong

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal

with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an appropriate capacity. CMAB will provide Secretariat support to the ECCPC. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB012**

Question Serial No.

0269

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 : Please give an account of matters related to exchanges and co-operation with Taiwan handled by the Administration in the last financial year (i.e. 2009-10). What is the expenditure involved? What are the action plans for handling Taiwan-related matters in 2010-11 and what is the expenditure involved?

Asked by : Hon. WONG Ting-kwong

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".

2. In 2009-10, we continued to strengthen our liaison and relations with a wide spectrum of sectors in Taiwan. We have received prominent political figures as well as officials of Taiwan, including representatives of the Straits Exchange Foundation, delegations led by the Mayor of Taichung City, Mayor of Taipei City, the Magistrate of Taipei County, and other public institutions. To foster exchanges with cities and counties of Taiwan, we organised the first "Hong Kong-Taiwan Inter-City Forum" with Taichung City in April 2009 and exchanged views on issues related to economic and trade development and tourism. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in Taiwan on the implementation of "One Country, Two Systems" principle in Hong Kong.

3. We have sponsored local non-governmental organisations for organising Hong Kong-Taiwan seminars on topics of mutual interests to both places. We have also sponsored the organisation of study tours for students among Hong Kong, the Mainland and Taiwan. Over 300 students participated in these study tours to exchange views, enhance mutual understanding and build up friendship.

4. In June 2009, Secretary for Constitutional and Mainland Affairs led an official delegation to Taipei and reached agreement with Taiwan authorities on the setting up of bilateral business cooperation committees. At the invitation of Taichung

City Government, Secretary for Constitutional and Mainland Affairs and Secretary for Commerce and Economic Development led a delegation to visit Taichung in March 2010 to attend their lantern festival. We took the opportunity to promote tourism in Hong Kong. The HKSAR Government organised the “Hong Kong Night” variety show on 6 March to feature Hong Kong theme parks and our creative arts talent.

5. In 2010-11, we will continue to enhance exchanges and cooperation with Taiwan. Our major work will include –

- (a) setting up the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) as a new platform to enhance cooperation in various policy areas with the Taiwan-Hong Kong Economic and Culture Co-operation Council;
- (b) fostering exchanges with cities and counties of Taiwan through organising activities such as “Hong Kong-Taiwan Inter-City Forum”;
- (c) sponsoring non-governmental organisations for organising forum, seminar and related activities which promote Hong Kong-Taiwan exchanges;
- (d) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (g) 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”.

6. The expenditure involved in promoting exchanges with Taiwan in 2009-10 was about \$4 million. In 2010-11, we have reserved \$4 million for such exchanges with Taiwan. In addition, we have reserved sufficient provisions for the activities of the ECCPC and other related work.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_  
Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB013**

Question Serial No.

0270

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  
Secretary for Commerce and Economic Development

Question : Regarding paragraph 13 under “Brief Description”, it was reported that most factories in the Mainland experienced difficulty in recruiting workers this year. As a result, there are orders for the factories but no worker to carry out the work. This will not be beneficial to business investment in a long run. As such, what plan does the Government have to help these Hong Kong businessmen setting up factories in the Mainland? In the coming year (i.e., 2010-11), what concrete plan does the Bureau have to assist Hong Kong businessmen setting up factories in the Pearl River Delta region Region to restructure, upgrade and relocate to other Pan-Pearl River Delta provinces? What are the expenditures involved?

Asked by : Hon. WONG Ting-kwong

Reply :

In 2010-11, the Government will continue to encourage and assist Hong Kong enterprises operating in the Mainland to restructure, upgrade, relocate and develop new markets. Specifically, the Government's work in this regard include:

- (a) maintaining close dialogue with the trade through various channels so as to understand their concerns and views (including on the issue of supply of labour in the Mainland);
- (b) maintaining close liaison with the Mainland authorities at various levels to reflect the trade's views on problems encountered in the process of upgrading and restructuring and opening up the Mainland market for domestic sales, and discuss proposed supportive measures for the trade. In this connection, we have conveyed to the Mainland authorities the trade's wish for the continued implementation of the supportive measures launched in the Mainland in 2008 and 2009. Besides, we have appealed to the Mainland to consult the trade and fully consider their views before

promulgation of new policies and legislation, and to give the trade a sufficiently long transition period;

- (c) organising symposiums and seminars to enhance the trade's understanding of new policies, legislation and business environment;
- (d) disseminating information on trade related policies and legislation through newsletters and websites; and
- (e) organising trade delegations to visit the Mainland with a view to enhancing the trade's understanding of Mainland policies and market development.

2. The HKSARG Mainland Offices support the Commerce and Economic Development Bureau in the above work. As the work is an integral part of the duties and functions of the Mainland Offices, the resources involved cannot be singled out and quantified.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB014**

Question Serial No.

0271

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 : Will the Administration promote the Hong Kong Pavilion in various countries during the Expo period? What are the detailed arrangements and the costs involved?

Asked by : Hon. WONG Ting-kwong

Reply :

Since 2009-10, we have initiated a wide range of activities, in overseas countries and in the Mainland, to promote Hong Kong's participation in the Shanghai Expo. The programme is organised in collaboration with the Hong Kong Tourism Board (HKTB), with funding from both the Government and the HKTB. The activities include advertisements on the internet, TV, radio and printed media; tactical cooperation with media, airline and tour operators to raise awareness of Hong Kong's participation and to promote multi-destination travel; participation in international trade shows and exhibitions; consumer promotion events; issue of promotional e-letters; direct mailing of publicity material and outreach training/workshop for tour operators. These promotional activities are targeted at a broad spectrum of audience and participants overseas and in the Mainland, including particularly those in major long-haul markets. Total expenditure for the programme which straddles 2009-10 and 2010-11 is estimated to be \$8 million, of which \$5 million is to be borne by the Government.

2. In 2010-11, we will continue the initiative. The expenditure for implementation in 2010-11 is estimated to be \$5.2 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB015**

Question Serial No.

0272

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 : In 2010-11, does the Government have any work plan with regard to cooperation or exchanges with other provinces and municipalities in China? If yes, what are the details? Will there be more publicity and activities to be carried out in provinces and municipalities with relatively less cooperation or exchanges with Hong Kong so that Hong Kong can benefit further?

Asked by : Hon. WONG Ting-kwong

Reply :

Over the past years, the Constitutional and Mainland Affairs Bureau has assisted in setting up a number of high-level platforms with various Mainland provinces and municipalities to take forward mutually-beneficial cooperation initiatives. These platforms include the Hong Kong-Guangdong Cooperation Joint Conference, the Pan-Pearl River Delta Regional Cooperation and Development Forum, the Hong Kong-Shanghai Economic and Trade Cooperation Conference, and the Hong Kong-Beijing Economic and Trade Cooperation Conference.

2. Key cooperation areas include major cross-boundary infrastructural projects, facilitation of cross-boundary people and cargo flow, trade and investment promotion, environmental protection, food safety, innovation and technology, tourism, and culture and sports. Concrete cooperation initiatives are in place and will be pursued in various forms such as meetings, visits and joint projects.

3. In 2010-11, the concerned bureaux and departments will continue to provide support and participate in the above platforms through organising and taking part in the meetings and visits, etc. Through our participation in the Shanghai Expo this year, we will also strengthen our contacts and liaise with other participating provinces and municipalities.

4. In addition, the Beijing Office as well as Guangdong, Shanghai and Chengdu Economic and Trade Offices will continue to conduct liaison and promotion activities with the Mainland provinces and municipalities, including those which have relatively less exchange with Hong Kong, with a view to fostering closer ties and promoting the interests of Hong Kong in the Mainland. Relevant activities include organisation of seminars, study missions, workshops and roving exhibitions.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB016**

Question Serial No.

0273

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 : In taking forward the implementation of “The Outline of the Plan for the Reform and Development of the Pearl River Delta”, how many plenary meetings of the Hong Kong/Guangdong Co-operation Joint Conference have been planned in 2010-11? What are the action plans for enhancing co-operation and exchanges with Guangdong Province? Please provide details and the estimated expenditure.

Asked by : Hon. WONG Ting-kwong

Reply :

The Administration attaches great importance to enhancing co-operation and increasing exchanges with Guangdong. In this regard, we have actively taken part in the implementation of “The Outline of the Plan for the Reform and Development of the Pearl River Delta” (the Outline), which has elevated co-operation between the two places to a national strategic level. Major implementation work is two-fold. Firstly, a framework agreement for Hong Kong-Guangdong co-operation is being drawn up. This framework will translate the Outline’s macro policies into concrete measures conducive to the development of both places, with a view to incorporating the related policies into the National 12<sup>th</sup> Five-Year Plan. At the same time, the Administration is working with Guangdong and Macao in formulating specific regional co-operation plans on building a quality living circle and on infrastructure development.

2. Secondly, another aspect of important action is our co-operation with Guangdong and Shenzhen to explore ways of promoting the development of service industries in Qianhai. This will allow us to tap into the Greater Pearl River Delta market, which has a population of 50 million, and in turn the Pan Pearl River Delta market, which has a population of more than 400 million.

3. As in past years, a Plenary meeting of the Hong Kong/Guangdong Co-operation Joint Conference will be held with Guangdong in the second half of 2010 to review work progress and formulate future co-operation plans. In 2010-11, the Constitutional and Mainland Affairs Bureau has earmarked about \$1.4 million for organising meetings and activities aimed at enhancing co-operation between Hong Kong and Guangdong.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB017**

Question Serial No.

0274

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 : Please advise when the mid-term review of the further development of the Political Appointment System will be completed. Does the Administration have any plan to introduce a performance-tied remuneration system for the incumbent Under Secretaries and Political Assistants? For those bureaux which have not yet appointed Under Secretaries or Political Assistants, will remuneration level for future Under Secretaries and Political Assistants to be appointed be adjusted on the basis of the mid-term review report?

Asked by : Hon. WONG Ting-kwong

Reply :

Since the first batch of Under Secretaries and Political Assistants reported for duty in June 2008, the mid-term review on their remuneration is expected to take place around mid-2010.

2. There is an Appointment Committee chaired by the Chief Executive, with membership comprising the Secretaries of Department, the relevant Director(s) of Bureau and the Director of the Chief Executive's Office. The Appointment Committee will consider the performance appraisals on the Under Secretaries and Political Assistants made by the relevant Secretaries of Department and Directors of Bureau, and then determine whether to adjust the remuneration for each Under Secretary and each Political Assistant within the scales of remuneration for the corresponding ranks.

3. As regards the scales of remuneration for the Under Secretaries and Political Assistants, they were approved by the Finance Committee of the Legislative Council in December 2007. The two scales will not be affected by the mid-term review on the remuneration of individual officials.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB018**

Question Serial No.

0275

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  
Secretary for Commerce and Economic Development

Question: Regarding the problem of “small doors not yet open” under CEPA, will the Government step up its action in the year 2010-11 to discuss with the Central Government to resolve this problem? Does the Government have any plan to allocate additional resources specifically for this purpose so that Hong Kong can benefit from CEPA fully as soon as possible? If yes, what will be the expenses and manpower involved?

Asked by : Hon. WONG Ting-kwong

Reply :

The Government attaches great importance to the effective implementation of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA). During 2010-11, the Commerce and Economic Development Bureau, Trade and Industry Department (TID), our Mainland Offices and relevant bureaux and departments will work closely with respective Mainland authorities to address problems arising during the implementation of the announced CEPA liberalisation measures, taking into account views of stakeholders in the relevant sectors.

2. The above work includes collecting information on implementation problems through different channels from industries and Hong Kong service suppliers; reflecting them to Mainland authorities at the central, provincial and municipal levels; and meeting Mainland authorities to resolve problems identified. TID will also continue to disseminate and up-date implementation details of CEPA measures including the related regulations and procedures on its website.

3. As the work involves different bureaux and departments and is an integral part of their duties and functions, the resources involved cannot be singled out and quantified.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB019**

Question Serial No.

0276

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  
Secretary for Commerce and Economic Development

Question : In respect of the 4 offices set up in Mainland as stated under the Brief Description, please provide the following information:  
In 2010-11, what are the staffing and expenditure requirements of the 4 offices? Does the Government have any plan to set up more offices in other provinces / municipalities? With the staging of the Shanghai Expo, will the Government provide additional manpower and funding support to the Economic and Trade Office in Shanghai?

Asked by : Hon. WONG Ting-kwong

Reply :

The establishment of the Beijing Office for 2010-11 will comprise 3 directorate officers (i.e. 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 13 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Information Officer, 1 Executive Officer I and 1 Senior Personal Secretary). The office will be supported by 27 locally-engaged staff to assist in various duties.

2. The establishment of the Hong Kong Economic and Trade Office (ETO) in Guangdong for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 12 non-directorate officers (i.e. 1 Senior Administrative Officer, 3 Principal Trade Officers, 3 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers and 1 Principal Information Officer). The office will be supported by 22 locally-engaged staff to assist in various duties.

3. The establishment of the Shanghai ETO for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 5 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers and 1 Senior

Information Officer). The office will be supported by 10 locally-engaged staff to assist in various duties.

4. The establishment of the Chengdu ETO for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade C) and 4 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Trade Officers, and 1 Senior Information Officer). The office will be supported by 14 locally-engaged staff to assist in various duties.

5. In 2010-11, the allocation for the Mainland Offices under Programme (3) is \$122.0 million. We have earmarked \$48.0 million for the Beijing Office, \$36.3 million for the Guangdong ETO, \$22.6 million for the Shanghai ETO and \$15.1 million for the Chengdu ETO.

6. Currently, the Beijing Office is responsible for maintaining close contact with the Central People's Government ministries and promoting Hong Kong's commercial relations and investment promotions in the Circum-Bohai Sea, northern and northwestern regions of the Mainland; whereas the Guangdong, Shanghai and Chengdu ETOs also perform similar economic and trade promotion roles in the areas under their purview covering the southern, eastern and south-western parts of the Mainland. To enhance liaison with the Shenzhen and other Mainland authorities and promotion of Hong Kong interest, a Shenzhen Liaison Unit, to be established under Guangdong ETO, will be put in operation in the second quarter this year. There is currently no plan to set up a new Economic and Trade Office in the Mainland.

7. As for the World Exposition 2010 Shanghai China which will be held in May to October 2010, the HKSAR's participation in the event covers a wide range of large-scale activities, including the construction and operation of a stand-alone Hong Kong Pavilion, mounting and running of a dedicated exhibition in the Urban Best Practices Area Exhibition (UBPA), organisation and presentation of a series of cultural performances and promotional activities, as well as the development of online versions of the Hong Kong Pavilion and UBPA Hong Kong Exhibition as part of "Online Expo". A dedicated team, led by an Administrative Officer Staff Grade C, has been established within the Constitutional and Mainland Affairs Bureau to take forward the project. The Shanghai ETO has been providing support in the coordination of planning and implementation of HKSAR's participation in the event. It will continue to do so within its existing staffing provision and resources.

Signature

Name in block letters

Post Title

Date

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JOSHUA LAW

Permanent Secretary for  
Constitutional and Mainland Affairs

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17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB020**

Question Serial No.

0277

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 : (a) The state leaders have called for Hong Kong to actively complement the Mainland in the preparation of the National 12<sup>th</sup> Five-Year Plan. What are the roles played by the Mainland Offices in facilitating Hong Kong to benefit from the national policies?
- (b) What are the roles played by the Mainland Offices in facilitating the opening up of the mainland market to Hong Kong products? What is the work plan for the coming year?

Asked by : Hon. WONG Ting-kwong

Reply :

- (a) The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of "One Country, Two Systems".

2. The Government has already established direct working relationship with the National Development and Reform Commission. Hong Kong's relevant bureaux and departments have also been in close liaison with their Mainland counterparts. Meetings, visits and seminars were held in Beijing and Hong Kong to facilitate exchanges. The Mainland Offices of the HKSAR Government have been playing a crucial role in maintaining and facilitating liaison, serving as an important bridge between the Government and the Mainland authorities in the preparation of the Plan.

(b) To tie in with the Mainland's policy of expansion of domestic demand, the HKSAR Government has been maintaining close liaison with the Mainland authorities and Hong Kong enterprises to assist the latter in tapping into the Mainland market. The Mainland Offices of the HKSAR Government are playing an active role in this process.

2. To enhance the trade's understanding of the Mainland's policies and measures related to domestic sales as well as latest economic developments, the Mainland Offices have been gathering and disseminating relevant information to the trade through such channels as issuing newsletters to major trade organizations in Hong Kong, and organizing symposiums and seminars jointly with relevant Mainland authorities. The Mainland Offices also gather the trade's views related to domestic sales and convey them to the relevant Mainland authorities for follow up actions. Furthermore, they cooperate with Mainland provinces and cities in facilitating Hong Kong enterprises to take part in business matching events / trade fairs. Close liaison is maintained between the Mainland Offices and relevant bureaux and departments in the HKSAR Government to ensure that concerted efforts are made to assist Hong Kong enterprises in opening up the Mainland domestic market.

3. The Mainland Offices will continue with the above efforts in the coming year and keep in view any changing needs of Hong Kong enterprises operating in the Mainland.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB021**

Question Serial No.

0297

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 : It is mentioned in paragraph 52 of the Budget Speech that the SAR Government has decided to set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council to enhance the co-operation between Hong Kong and Taiwan. Please advise this Committee what specific plans does the Constitutional and Mainland Affairs Bureau have and in what ways will the Bureau work with the Council to enhance economic co-operation between Hong Kong and Taiwan? What are the resources involved?

Asked by : Hon. LEE Wai-king, Starry

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an

appropriate capacity. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCPC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB022**

Question Serial No.

0311

Head : 144 GS: Constitutional and  
Mainland Affairs Bureau

Subhead (No. & title) : 000

Operational  
expenses

Programme : (1) Director of Bureau's Office  
(2) Constitutional and Mainland Affairs  
(3) Mainland Offices  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide the following information on the employment of temporary staff to provide services:

	2010-11	2009-10	2008-09	2007-08
Breakdown of the number of temporary staff employed	( )	( )	( )	( )
Breakdown of posts taken up by temporary staff employed	( )	( )	( )	( )
Breakdown of salaries of temporary staff employed	( )	( )	( )	( )
Benefits of temporary staff employed	( )	( )	( )	( )
Length of employment of temporary staff in years, months and days	( )	( )	( )	( )
Percentage of temporary staff employed in the total number of staff in the department	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The Constitutional and Mainland Affairs Bureau has not employed any temporary staff.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB023**

Question Serial No.

0312

Head : 144 GS: Constitutional and  
Mainland Affairs Bureau

Subhead (No. & title) : 000

Operational  
expenses

Programme : (2) Constitutional and Mainland Affairs  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide the following information on the employment of non-civil service contract (NCSC) staff to provide services:

	2010-11	2009-10	2008-09	2007-08
Breakdown of the number of NCSC staff	( )	( )	( )	( )
Breakdown of posts taken up by NCSC staff	( )	( )	( )	( )
Breakdown of salaries of NCSC staff	( )	( )	( )	( )
Benefits of NCSC staff	( )	( )	( )	( )
Length of employment of NCSC staff in years	( )	( )	( )	( )
Were there any chances for NCSC staff to convert to civil servants on permanent terms?	( )	( )	( )	( )
If there were chances for conversion, the number of NCSC staff who failed to do so	( )	( )	( )	( )
Percentage of NCSC staff in the total number of staff in the department	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

Information on the employment of NCSC staff in the Constitutional and Mainland Affairs Bureau (CMAB) is provided below -

	2010-11 (Note)	2009-10	2008-09	2007-08
Breakdown of the number of NCSC staff	-	13 (+30.0%)	10 (+11.1%)	9 (-)
Breakdown of posts taken up by NCSC staff	-	13 (+30.0%)	10 (+11.1%)	9 (-)
Breakdown of salaries of NCSC staff (per month)	-			
● \$30,000 or above		7 (+40.0%)	5 (+25.0%)	4 (-)
● \$16,000 - \$29,999		4 (0%)	4 (+33.3%)	3 (-)
● \$8,000 - \$15,999		2 (+100.0%)	1 (-50.0%)	2 (-)
Benefits of NCSC staff	Fringe benefits are granted in accordance with the Employment Ordinance.			
Length of employment of NCSC staff in CMAB	-			
● Less than 3 years		8 (+14.3%)	7 (0%)	7 (-)
● 3 years to less than 5 years		3 (+50.0%)	2 (+100.0%)	1 (-)
● 5 years or more		2 (+100.0%)	1 (0%)	1 (-)
Were there any chances for NCSC staff to convert to civil servants on permanent terms?	CMAB does not recruit civil servants on permanent terms. The NCSC staff, who meet the relevant basic entry requirements in the open recruitment exercises for the relevant civil service posts conducted by other government departments, are required to apply for the jobs and go through an open, fair and competitive			

	recruitment process.
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If there were chances for conversion, the number of NCSC staff who failed to do so	-			
Percentage of NCSC staff in the total number of staff in CMAB	-	9.0%	7.9%	8.7%

*Figures in ( ) denote year-on-year changes*

Note Figures are not available as the number of NCSC staff varies from time to time in the light of changing service and operational requirements.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB024**

Question Serial No.

0313

Head : 144 GS: Constitutional and  
Mainland Affairs Bureau

Subhead (No. & title) : 000

Operational  
expenses

Programme : (1) Director of Bureau's Office  
(2) Constitutional and Mainland Affairs  
(3) Mainland Offices  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide information on outsourced services (including property management, security, cleansing, telecommunications and information technology, statistics, etc., but excluding construction works) in the format set out below:

	2010-11	2009-10	2008-09	2007-08
Contents of outsourced service contracts	( )	( )	( )	( )
Number of outsourced service contracts	( )	( )	( )	( )
Value of outsourced service contracts	( )	( )	( )	( )
Number of workers employed under outsourced service contracts	( )	( )	( )	( )
Number of outsourced service contracts that can be replaced by employment of permanent staff by the Government	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The Constitutional and Mainland Affairs Bureau has no outsourced service.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB025**

Question Serial No.

1209

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 : Regarding “follow up the recommendations of the Director of Audit’s Report No. 53 and the respective Public Accounts Committee report” under Matters Requiring Special Attention in 2010–11, would the Administration please inform this Committee of the Office of the Privacy Commissioner’s progress in implementing the relevant recommendations?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government and the Office of the Privacy Commissioner for Personal Data (PCPD) accept the recommendations of the Director of Audit’s Report No. 53 and the respective Public Accounts Committee (PAC) report. Following the publication of these reports, the Government has been working with the PCPD on a number of improvement measures and follow-up actions. The major progress is set out in the following paragraphs.

2. On corporate governance, a strategic planning group comprising heads of divisions of the PCPD was formed in January 2010 to drive the strategic planning process. A 5-year strategic plan and the 2010 business plan have been compiled by the PCPD and discussed by the Personal Data (Privacy) Advisory Committee (PDPAC). The PCPD will seek advice from the PDPAC on strategic planning which will form part of the agenda for discussion at PDPAC meetings.

3. In addition, the Government and the PCPD are working out arrangements to better monitor PCPD’s performance and enhance compliance and internal control matters of the PCPD.

4. On complaint management, the PCPD will conduct a post-implementation review on streamlined planning procedures for complaint cases. The risk assessment of non-compliance with the 45-day requirement of serving the refusal notice under section 39(3) of the Personal Data Privacy Ordinance (PDPO) is now made a standing agenda

item of PDPAC meetings and Progress Review Meetings between the Constitutional and Mainland Affairs Bureau (CMAB) and the PCPD.

5. The CMAB has earmarked an additional provision (amounting to \$4.57 million) to the PCPD in 2010-2011 to create five posts to strengthen the enforcement team of the PCPD, to provide the necessary legal support and to enhance public education and promotion work. The CMAB has also raised the reserve ceiling of the PCPD from \$5 million to 20% of its annual recurrent subvention (i.e. equivalent to about \$9 million at the current subvention level). This will allow the PCPD greater financial flexibility in meeting its operational needs.

6. In response to the recommendations of PAC and Audit, the CMAB, in consultation with the PCPD, has included new indicators to measure the outcome and productivity of PCPD in the 2010-11 Controlling Officer's Report.

7. The PCPD is also following up on other recommendations on promotional activities, overseas duty trips, hospitality expenditure and other administrative issues. We will report details of progress in the Government Minute to be submitted to the Legislative Council in May 2010.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB026**

Question Serial No.

1210

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 : Regarding "Provision for 2010–11 is \$6.4 million ...higher than the revised estimate for 2009–10. ... for strengthening the manpower of the Privacy Commissioner's Office to enhance enforcement and promotional work" under Analysis of Financial and Staffing Provision, would the Administration please inform this Committee of the details of the enforcement and promotional work to be enhanced, the respective additional manpower and spending requirements?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government is firmly committed to the protection of personal data privacy and will strive to provide resources at an appropriate level to support the Office of the Privacy Commissioner for Personal Data (PCPD) for effective enforcement of the Personal Data (Privacy) Ordinance.

2. The provision for the PCPD in 2010-11 amounts to \$48.6 million, representing an increase of 7.8% over the 2009-10 revised estimate (\$45.1 million). This reflects an additional provision of \$4.57 million to PCPD in 2010-11 to step up enforcement and promotion work of PCPD. Details of the \$4.57 million additional provision are as follows:

- (a) \$3.05 million for strengthening the enforcement team of the PCPD through the creation of three posts to cope with the increase in the number of complaint cases;
- (b) \$0.82 million to create one post to provide the necessary legal support; and
- (c) \$0.7 million to create one post to strengthen PCPD's promotion and education work on personal data privacy.

3. With the additional provision of \$4.57 million mentioned above and after making the relevant adjustments (i.e. the one-off provision to PCPD in 2009-10 for enhancing promotion work, the adjustment in subvention subsequent to the civil pay adjustment in 2009 and the claw-back amount in 2009-10 for exceeding the reserve ceiling), the net increase in the subvention to PCPD in 2010-11, compared with the 2009-10 revised estimate, is \$3.5 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB027**

Question Serial No.

1211

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 : It is mentioned under Analysis of Financial and Staffing Provision that “Provision for 2010-11 is \$6.4 million (5.1%) higher than the revised estimate for 2009-10. This is mainly due to the additional subvention for further strengthening the manpower of EOC for implementation of the RDO, creation of the position of the Chief Operations Officer to enhance the administration and governance of the EOC...” In this connection, would the Administration please inform this Committee of the additional manpower, the respective responsibilities as well as the expenditure involved?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Of the net increase of \$6.4 million (5.1%) for 2010-11 in Programme (5), the subvention to the Equal Opportunities Commission (EOC) accounts for \$2.9 million.

2. The increase of \$2.9 million is the net result of an increase of around \$4.8 million in subvention for 2010-11 to cover additional manpower expenditure, offset by the one-off provision incurred in 2009-10 (including one-off provisions for the publicity and promotion of the Race Discrimination Ordinance (RDO) and for engaging an external auditor to follow up the recommendations of the Audit and the Public Accounts Committee reports) and the adjustment in subvention subsequent to the civil service pay adjustments in 2009.

3. The posts and the scope of work to be covered by the increased subvention for 2010-11 are as follows –

- (a) the creation of a Chief Operations Officer post to oversee the administrative and operational matters with a view to strengthening the governance of the EOC;

- (b) the creation of one Senior Equal Opportunities Officer post and one Assistant Equal Opportunities Officer post for handling complaints in enforcing the RDO; and one Senior Equal Opportunities Officer post for strengthening the administrative support for the additional work and increase in staff arising from the implementation of the RDO; and
- (c) the provision of a full-year subvention for five posts (comprising one Equal Opportunities Officer and one Assistant Equal Opportunities Officer for handling complaints in enforcing the RDO; and one Senior Corporate Communications Officer and two Corporate Communications Officers for work related to promotion and education) which have been granted recurrent subvention starting from July 2009 following the full implementation of the RDO.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB028**

Question Serial No.

1212

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 "Provision for 2010-11 is \$1.8 million (21.7%) higher than the revised estimate for 2009-10. This is mainly due to the full-year provision for the position of Under Secretary filled in 2009-10, and the provision required for filling the position of Political Assistant" under Analysis of Financial and Staffing Provision, would the Administration please inform this Committee of the present progress in relation to the appointment of the Political Assistant and when the Political Assistant appointee is expected to report for duty?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Regarding the filling of the outstanding positions of Under Secretaries and Political Assistants in the Government, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

2. In 2010-11, the Constitutional and Mainland Affairs Bureau has earmarked \$1.86 million for filling the position of Political Assistant in the bureau.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

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

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 : Under Matters Requiring Special Attention in 2010–11, it was stated that the Bureau will “work closely with the Electoral Affairs Commission to conduct by-elections to the LegCo and District Councils, if any, and to commence preparatory work for the District Council Election to be held in 2011”. Could the Administration inform the LegCo the work, expenses and manpower to be involved in the LegCo by-election scheduled in May if the seats in all the constituencies are uncontested, or if the seat(s) in only 1 to 4 constituencies are uncontested?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

To prepare for the 2010 Legislative Council by-election for the five geographical constituencies (“LegCo by-election”), the Constitutional and Mainland Affairs Bureau (“CMAB”) is working closely with the Electoral Affairs Commission (“EAC”) on the necessary preparatory work (e.g. identification of polling stations, recruitment of electoral staff, and voting and counting arrangements). We are also co-ordinating with various government departments on the publicity work for the upcoming by-election.

2. These tasks form an integral part of the Bureau’s election-related policy work in 2010-11 and are carried out by the existing staff establishment of the Bureau. Whether the vacant seats of the five geographical constituencies will be contested or uncontested will not have an impact on the staffing and the expenditure of the Bureau.

3. The EAC has the statutory responsibility for the conduct and supervision of elections. The Registration and Electoral Office (“REO”) provides the EAC with the necessary support in conducting the LegCo by-election. The costs for conducting the LegCo by-election will be met by the REO. The costs for some items, such as electoral staff cost, will be lower if some of the vacant seats are uncontested.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB030**

Question Serial No.

1214

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 : Regarding “continue to enhance working relationships with the HKMAO and the MFA Office” under Matters Requiring Special Attention in 2010–11, would the Administration please inform this Committee of the substance of the work and the expenditure so involved in the past year (i.e., 2009-10), the estimated expenditure and manpower requirement for 2010-11?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Over the years, we have developed good working relation with the Hong Kong and Macao Affairs Office of the State Council (HKMAO) and the Office of the Commissioner of the Ministry of Foreign Affairs (OCMFA). In 2009-10, close contacts and communication were maintained on matters of mutual concern, such as the work of the Hong Kong Special Administrative Region (HKSAR) in support of reconstruction in the Sichuan earthquake stricken areas, the HKSAR's participation in the Shanghai Expo 2010, official exchanges and visits between Hong Kong and the Mainland, Hong Kong's participation in external affairs, regional and international cooperation initiatives, as well as affording consular protection to Hong Kong residents in distress overseas. As the work to enhance the relationship with the HKMAO and OCMFA forms part of the daily operation of the Constitutional and Mainland Affairs Bureau (CMAB), the resources allocated in this respect cannot be singled out and quantified.

2. CMAB will continue to work closely with the HKMAO and OCMFA to strengthen exchanges and cooperation with the Mainland authorities and to ensure HKSAR's active participation in the international arena. The work concerned will be carried out within our allocated staffing provision and resources.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for

Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB031**

Question Serial No.

0344

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  
Secretary for Commence and Economic Development

Question : The Mainland Offices handled a total of 330 requests for assistance from the general public in 2009. Would the Administration please list:

- (a) the respective number of requests received by each office and the expenditure involved; and
- (b) a breakdown of the requests, the time needed to handle the requests and the success rate.

Asked by : Hon. HO Chung-tai, Raymond

Reply :

The 330 requests for assistance handled by the Mainland Offices in 2009 are categorised as follows:

Category		Beijing Office	Guangdong ETO	Shanghai ETO	Chengdu ETO
a.	Business and trade disputes	20	5	5	6
b.	Complaints relating to real estate	26	15	10	2
c.	Complaints against administrative, law enforcement and judicial agencies in the Mainland	82	59	56	11
d.	Others	13	6	10	4
<b>Total :</b>		<b>141</b>	<b>85</b>	<b>81</b>	<b>23</b>

2. As a standard practice, upon receipt of requests of assistance from Hong Kong residents in the Mainland, the Mainland Offices concerned would look into the requests and contact the concerned assistance-seekers to seek clarifications as necessary. The Mainland Offices would also refer the cases to the relevant Mainland authorities for follow up under the principle of "One Country, Two Systems". In 2009, the Mainland Offices handled 330 such cases.

3. Of the cases handled by the Mainland Offices, since the nature and complexity of the cases differ, the time required for handling each case and the progress/outcome are subject to a lot of variations. It is not practicable to compile a success rate. The Mainland Offices would continue to provide assistance at different stages of the cases, taking into account the requests of the assistance-seekers.

4. Handling requests for assistance is an integral part of the roles and functions of the Mainland Offices. Resources input cannot be singled out and quantified.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB032**

Question Serial No.

0345

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 : In respect of assisting the public and private sectors in acquiring in-depth understanding of equal opportunities legislation in 2010-11, would the Administration:

- (a) provide details of the related training programmes and public education initiatives;
- (b) advise on the estimated staffing and expenditure requirements.

Asked by : Hon. HO Chung-tai, Raymond

Reply :

The Equal Opportunities Commission (EOC) is committed to promoting the concept of equal opportunities through education and promotion among public and private organisations. Details of training and public education programmes for 2010-11 and the estimated staffing and expenditures are as follows –

- (a) EOC's initiatives on training and public education include –
  - (i) training programmes which enable the public and private sectors to acquire an in-depth understanding of equal opportunities legislation. These include 350 workshops and seminars, and cover more than 20 topics such as introduction to equal opportunities ordinances, preventing and managing harassment, managing complaints in the workplace, equal opportunities in the provision of goods, services and facilities, introduction to mediation and valuing diversity;
  - (ii) public education through traditional mass media (TV and radio programmes) as well as new media (EOC website, YouTube videos, on-line training modules and other Internet platforms);
  - (iii) school programmes, including talks, drama performances, mentorship programme and competitions targeting youth;

- (iv) EO Club seminars and e-newsletters promoting equality practices to human resources practitioners;
  - (v) funding programme for community groups and schools to carry out anti-discrimination projects;
  - (vi) community education / outreach efforts to ethnic minorities and other disadvantaged groups; and
  - (vii) publicity campaigns, including those on public transportation systems, production of informational newsletters/publications, and roving exhibitions at public venues.
- (b) These programmes are carried out by the Corporate Communications and Training Unit of the EOC, which is responsible for promoting public understanding of anti-discrimination legislation and acceptance of equal opportunities concepts and practices. There are currently 13 staff in the Unit who are mainly responsible for the above training and public education programmes. The relevant expenditure of the above programmes, including staff costs, is around \$17.9 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB033**

Question Serial No.

0484

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 : In regard to this programme: Constitutional and Mainland Affairs, please provide the following information:

- (a) The estimated provision for 2010-11 is \$262 million, representing a marked increase of 107.6% over the revised estimates for 2009-10. Please give reasons for the substantial increase.
- (b) In respect of the provisions set aside for the Bureau's main responsibilities listed in paragraph 5 under the Brief Description, please list out the respective figures showing such provisions as a percentage of the financial provision for 2010-11.

Asked by : Hon. LI Fung-ying

Reply :

(a) Under Programme (2): Constitutional and Mainland Affairs, the estimated provision for 2010-11 is 107.6% (\$135.8 million) higher than the revised estimates for 2009-10 mainly because the provision for matters relating to the World Exposition 2010 Shanghai China has increased by about \$120 million. There are also increased provisions for other constitutional and mainland affairs matters and related initiatives, including enhancing liaison and communication with other parts of China, strengthening support for co-operation with Pan Pearl River Delta (PPRD), enhancing exchanges and co-operation with Taiwan, developing the electoral systems in accordance with the relevant provisions of the Basic Law, etc.

(b) For the Bureau's main responsibilities listed in paragraph 5 under the Brief Description of Programme (2): Constitutional and Mainland Affairs, the figures showing such provisions as a percentage of the financial provision for the Programme in 2010-11 are set out below-

<b>Main Responsibilities</b>	<b>Percentage</b>
(i) Promotion of the Basic Law	6.4%

- |       |  |       |
|-------|--|-------|
| (ii)  | Enhancing closer ties with other parts of China, strengthening support for co-operation with PPRD, complementing the preparation of the National 12 <sup>th</sup> Five-Year Plan, co-ordinating and enhancing exchanges and co-operation with Taiwan, operating expenses, etc. | 27.5% |
| (iii) | Development of the electoral systems in accordance with the relevant provisions of the Basic Law   | 2.6%  |

The provision for World Exposition 2010 Shanghai China accounts for 63.5% of the total provision for Programme (2).

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>17 March 2010</u>

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB034**

Question Serial No.

0485

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  
Secretary for Security

Question : Requests for assistance from Hong Kong residents in distress in the Mainland handled by the Immigration Divisions of the BJO / Guangdong ETO have substantially increased from 398 in 2008 to 601 in 2009. Please provide a breakdown by categories on the requests handled by the Immigration Divisions of the 2 offices in 2008 and 2009 respectively.

Asked by : Hon. LI Fung-ying

Reply :

In 2008 and 2009, the Immigration Divisions of the Beijing Office (BJO) and the Hong Kong Economic and Trade Office in Guangdong (GDETO) received respectively a total of 398 and 601 requests for assistance from Hong Kong residents in distress in the Mainland. The breakdown is set out below:

Category		Number of Requests Received			
		in 2008		in 2009	
		BJO	GDETO	BJO	GDETO
a.	Loss of travel documents or monies	50	4	37	5
b.	Persons in danger, involved in traffic accidents, injured or whose relatives had passed away in the Mainland	144	154	401	123
c.	Detention	20	26	8	27
<b>Sub-total :</b>		<b>214</b>	<b>184</b>	<b>446</b>	<b>155</b>

2. The substantial increase of requests received in 2009 was mainly due to the large number of assistance cases received from Hong Kong residents who were quarantined or received medical treatment in the Mainland for being suspected or confirmed to have been infected with human swine influenza.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB035**

Question Serial No.

0501

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 : Will the Bureau allocate from the \$122 million financial provision for programme (3) additional fundings to the Hong Kong Economic and Trade Office in Shanghai for increasing its staffing support and resources, so that the Office can give fuller play to its role as a point of contact during the Expo period, and at the same time, provide assistance to the Hong Kong people participating in the Expo?

Asked by : Hon. LEUNG Kwan-yuen, Andrew

Reply :

The World Exposition 2010 Shanghai China will be held in May to October 2010. The HKSAR's participation in the event covers a wide range of large-scale activities, including the construction and operation of a stand-alone Hong Kong Pavilion, mounting and running of a dedicated exhibition in the Urban Best Practices Area Exhibition (UBPA), organisation and presentation of a series of cultural performances and promotional activities, as well as the development of online versions of the Hong Kong Pavilion and UBPA Hong Kong Exhibition as part of "Online Expo". A dedicated team, led by an Administrative Officer Staff Grade C, has been established within the Constitutional and Mainland Affairs Bureau to take forward the project. The Economic and Trade Office in Shanghai has been providing support in the coordination of planning and implementation of HKSAR's participation in the event. It will continue to do so within its existing staffing provision and resources.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB036**

Question Serial No.

0515

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 : Please list out the cases taken to court by the Equal Opportunities Commission in 2008 and 2009, the Ordinances involved, the start dates of these cases, and the staffing and expenditure involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

During the calendar years of 2008 and 2009, the Equal Opportunities Commission (EOC) assisted victims of discrimination in bringing their cases to court in 13 cases.

	Ordinance involved	Case	Date of initiating legal proceeding (i.e. issuance of writs)
1.	Disability Discrimination Ordinance (DDO)	Alleged disability discrimination and dismissal while on recommended sick leave.	April 2008
2.	Sex Discrimination Ordinance (SDO)	Alleged pregnancy discrimination. Victim dismissed shortly after giving pregnancy notice.	September 2008
3.	DDO	Alleged disability discrimination. Victim was transferred to another position and eventually dismissed.	September 2008
4.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability and sick leaves.	January 2009

	Ordinance involved	Case	Date of initiating legal proceeding (i.e. issuance of writs)
5.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability.	January 2009
6.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her hearing impairment.	January 2009
7.	DDO	Alleged disability vilification.	April 2009
8	DDO	Alleged disability discrimination. Defendant allegedly had not provided adequate wheelchair access to residential premises.	June 2009
9.	SDO	Alleged sexual harassment in employment.	June 2009
10	SDO	Alleged sex discrimination. Defendants allegedly had refused provision of services and facilities on the ground of sex.	July 2009
11	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability.	July 2009
12	SDO	Alleged sexual harassment in employment.	October 2009
13	SDO	Alleged pregnancy discrimination by dismissal.	December 2009

2. Of these cases, six (cases 1, 2, 3, 5, 6 and 11) have been settled before trial. Others are under handling. Legal assistance is provided by officers in the Legal Service Division of the EOC as well as outside counsels as appropriate. The Division has six qualified legal officers. As at 5 March 2010, the expenditure involved in hiring outside counsel and other expenditure involved in the above 13 cases was \$0.41 million, excluding staffing costs and general operating costs of the EOC.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB037**

Question Serial No.

0516

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 : For self-initiated investigations made by the Equal Opportunities Commission in 2007 to 2009, what is the number of cases where government departments are involved for each year? For all cases in 2009, please list out the dates when investigations started, the summary of these cases, the Ordinances involved, the organisations and government departments being investigated, findings of the investigations and the follow-up actions taken.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

During 2007-09, the Equal Opportunities Commission (EOC) conducted self-initiated investigations into 46 situations (14, 14 and 18 in 2007, 2008 and 2009 respectively) involving government departments.

2. In 2009, the EOC initiated investigations into 61 situations involving government departments and public and private organisations, with 10 of them related to the Sex Discrimination Ordinance (SDO), 44 related to the Disability Discrimination Ordinance (DDO), 1 related to the Family Status Discrimination (FSDO), and 6 related to the Race Discrimination Ordinance (RDO). The details of the respective cases are at Annex.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
<b>SDO (10)</b>		<b>Employment (2)</b>		
1.	December 2009	Recruitment: required merchandiser to be female	A garment factory	The factory admitted its fault and apologised for it. Written advice issued to the factory on the provision under SDO.
2.	November 2009	Recruitment: alleged refusal to offer job interview to male applicants on gender ground	A tutorial centre	Centre operator denied allegation. Affected person lodged a formal complaint, which is now under investigation.
		<b>Provision of goods and services (8)</b>		
3.	October 2009	Allegation that participation of a tour not open to male	A District Council member	Written advice on the legal liability under SDO issued to the district councilor.
4.	October 2009	Allegation that only female audience was admitted to a particular TV show	A TV broadcaster	Letter issued to the broadcaster advising on the provisions under SDO. Became a formal complaint which is now under investigation.
5.	October 2009	Promotional offers only provided to female customers	A property management company	Written advice issued to the company on the legal liability under the SDO. Company agreed to offer concessions to male customers later.
6.	September 2009	Discount in parking fees available to female drivers only	A property management company	Written advice issued to the company on the legal liability under the SDO. The company agreed to offer similar discount to male customers.
7.	July 2009	Daughters of indigenous villagers not entitled to burial rights in their birth villages	Home Affairs Department	Case under investigation.
8.	June 2009	Alleged designation of lift for domestic helpers	A property development company	No lift was designated for the purpose. Written advice issued reminding on the legal liability under SDO, and also RDO when the latter came into full operation.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
9.	June 2009	Promotional leaflet emphasising designation of lift for domestic helpers	A property agency	No lift was designated for the purpose. Written advice issued reminding on the legal liability under SDO, and also RDO when the latter came into full operation.
10.	April 2009	Different number of males and females allowed to participate in the 'bun mountain' event	Leisure and Cultural Services Department	Differentiation in sports event could be exempted under SDO. Concern relayed to the Department for better planning of activity in future.
<b>DDO (44)</b>		<b>Provisions of goods and services (8)</b>		
11.	June 2009	No barrier free access to ATM service	A bank	Building a standard ramp would extend onto public street, which would cause unjustifiable hardship.
12.	June 2009	No barrier free access to ATM service in two locations	A bank	Impossible to build a standard ramp in one location. Agreed to build a ramp in another site nearby.
13.	June 2009	No barrier free access to ATM service	A bank	Impossible to build a standard ramp, but another ATM machine was accessible nearby.
14.	September 2009	Disabled toilet in a shopping mall locked	A property management company	The company explained that the measure was intended to avoid abuse, especially by drug abusers. Written advice issued reminding on the provisions of DDO. Situation rectified.
15.	June 2009	Disabled toilet in a shopping mall locked	A property management company	The company explained that the measure was intended to avoid abuse, especially by drug abusers. Written advice issued. Situation rectified.
16.	November 2009	Wheelchair users could only get seats with inferior view for a concert venue	An entertainment organiser	The organiser explained it had tried its best to accommodate wheelchair users and not all locations were technically viable for the purpose. Written advice issued on the provisions of the DDO.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
17.	June 2009	Persons with disability were not allowed to join a protest march relating to some ethical issues	Organiser of the march	The organiser expressed safety concerns. Written advice issued on the provisions of DDO. Persons affected were allowed to join.
18.	February 2009	Disabled toilet in shopping mall locked	A property management company	The company explained that the measure was intended to avoid abuse, especially by drug abusers. Written advice issued. Situation rectified.
<b>Accessibility / transportation (36)</b>				
19.	November 2009	Stair climber not installed at certain exit of a station	A public transportation company	Installation of the stair climber would cause unjustifiable hardship under DDO due to physical limitation. Findings relayed to affected party.
20.	November 2009	Allegation of insufficient low platform bus serving certain routes	A public transportation company	The company provided schedules of low platform bus services on relevant route. Information relayed to affected party, which accepted the explanation.
21.	July 2009	Sub-standard ramp in a public market	Food and Environmental Hygiene Department	The Department undertook to rectify the situation. EOC will follow up on the progress on a regular basis.
22.	July 2009	Wheelchair users encountered difficulties in entering a shopping mall	A property management company	Written advice issued. The company agreed to explore with adjoining premises on improvement measures, and provide assistance to those in need in the interim. EOC will follow up on the progress.
23.	July 2009	Lift installed at a location inconvenient to wheelchair users	A public transportation company	The company explained that technical difficulty and ownership of land posed limitations. Rectification would cause unjustifiable hardship. Findings relayed to affected party.
24.	February 2009	Lack of ramp at a bus station inside a public housing estate	Transport Department	Department made improvement in late 2009.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
25.	November 2009	No barrier free access to main entrance of a residential building	Incorporated owners of a private building	Owners' incorporation could not afford the installation costs. Installation would cause unjustifiable hardship. Written advice issued on legal liability under DDO. Affected party accepted explanation.
26.	November 2009	No barrier free access to route in bus station and substandard drop kerb	Transport Department	Written advice issued to the Department on the provisions of DDO. The Department undertook to rectify the irregularity.
27.	October 2009	No barrier free access at one entrance of a shopping mall	A property management company	An accessible entrance had already been built. No follow up action necessary.
28.	September 2009	No barrier free access to main entrance of a branch of a bank	A bank	Written advice issued. The bank undertook to build a ramp. EOC will follow up on the progress.
29.	September 2009	Two ramps not up to standard. No lift installed	A property management company	Technical difficulty and physical limitation involved. Rectification would cause unjustifiable hardship. The company agreed to explore other improvement.
30.	September 2009	No barrier free access to main entrance of a shopping mall	A property management company	Building a permanent ramp would cause unjustifiable hardship under the DDO. The company agreed to provide a removable ramp.
31.	August 2009	No barrier free access to entrance of a convenient store	A convenient store chain	Physical limitation caused unjustifiable hardship under DDO to provide an accessible entrance. The company agreed to provide personal assistance when required.
32.	June 2009	Lack of ramp for a certain part of a residential estate	A property management company	Company explained that an alternate route is provided. Affected party accepted the explanation.
33.	March 2009	Insufficient disabled car parking space provided in a recreational club	A private recreational club	Written advice issued to the club on DDO. The club agreed to allot more space for the purpose in its renovation plan.
34.	January 2009	Lack of ramps in a housing estate	Housing Authority	Ramps installed in an alternative route.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
35.	April 2009	Level difference between road and pavement hindering persons with disability getting on and off buses	Transport Department	Department reminded bus operators / drivers to park buses close to pavement when stopping.
36.	August 2009	No guide path linking a shopping mall and the adjacent housing estate	A property management company	The company undertook to make improvements in consultation with NGO for the visually impaired. EOC will follow up on the progress.
37.	July 2009	Lack of ramp at entrance of a fast food shop	A fast food chain	Physical limitation posed unjustifiable hardship under DDO to operator for the installation of a ramp. The operator will provide assistance to customers.
38.	June 2009	Lack of accessible route during renovation period of a commercial complex	A property management company	The company was aware of the issue and had installed a call bell for requesting assistance from security guards.
39.	October 2009	Allegation that lift in a shopping centre was blocked	A property management company	Became a formal complaint. Case under investigation.
40.	September 2009	Lift service was not provided for some floors of an education institution in a building	An education institution	Institute explained that it was for crowd control purpose and lift service would be provided to disabled students or persons in need. Written advice issued on the provisions of DDO.
41.	August 2009	Escalator in a shopping mall served one direction only	A management company	Only one escalator installed. Company explained that persons in need could use cargo lift and apologised for inconvenience caused. Affected party accepted explanation.
42.	August 2009	Disconnected guide paths in certain areas of a housing estate	A property management company	Investigation found that some parts of the guide path passed through drain / ditch covers. The company was advised to improve. EOC will follow up on the progress.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
43.	June 2009	Lack of ramp at the entrance of a restaurant	A restaurant	Written advice issued on the provisions under DDO. Ramp installed after renovation work.
44.	April 2009	Lack of ramp in car park inside a public housing estate	Housing Authority	Advice given to the Authority. A ramp is now under construction.
45.	January 2009	Lack of ramp at the entrance of a restaurant	A restaurant	Written advice issued on the provisions under DDO. Ramp installed.
46.	January 2009	Lack of ramp at the entrance of a restaurant	A restaurant	Under investigation. Written advice issued on the provisions under DDO.
47.	April 2009	Sub-standard access in a housing estate	Housing Authority	Standard ramps already provided in some parts of the estate. Ramps could not be built in some locations due to physical limitation. Housing Authority undertook to explore improvement. EOC will follow up on the progress.
48.	April 2009	Sub-standard disabled toilet and lack of ramp in a shopping mall	A property management company	Written advice issued on the provisions under DDO. The company undertook to include improvement of toilet facilities during renovation. Where permanent ramp could not be built, removable ramp would be made available for those in need. EOC will follow up on the progress.
49.	April 2009	Lack of ramp at the entrance to a supermarket	A supermarket chain	The operator explained that it had no right to build a permanent ramp on rented areas, but agreed to provide a movable ramp for those in need.
50.	April 2009	Branch of a bank not accessible to wheelchair user	A bank	Written advice issued on the provisions under DDO. The bank built a permanent ramp at the main entrance of the branch.

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
51.	February 2009	Alleged insufficient facilities for wheelchair users in a cinema	A cinema	Found facilities consistent with the relevant Design Manual for barrier free access and there were designated seats provided to wheelchair users. Written advice issued on provisions of DDO and the cinema agreed that improvements could be made, e.g. toilet facilities, access, and seats.
52.	April 2009	Level difference between platform and train in some platforms	A public transportation company	Written advice issued. Physical limitation existed. The company agreed to assist those in need in boarding and alighting from train.
53.	March 2009	Allegation that pavement and road crossing facilities in Sham Shui Po are not friendly to persons with disability	Highways Department	Written advice issued to the Department on DDO. The Department undertook to make improvements. EOC will follow up on the progress regularly.
54.	February 2009	Lack of accessible path for wheelchair users during renovation period	A non-profit making religious organisation	Written advice issued to the organisation on DDO. The organisation expressed that it was not possible to provide accessible route during renovation period as this would cause unjustifiable hardship, and accessibility would be improved after renovation work.
<b>FSDO (1)</b>		<b>Employment (1)</b>		
55.	January 2009	Recruitment: Allegation that job not offered due to applicant's need to take care of her son	A beauty salon	Written advice issued to the salon on FSDO. Salon explained that most of their staff had children or caring duty, and the job was not offered to the applicant for other reasons. Affected party informed and accepted explanation.
<b>RDO (6)</b>		<b>Provision of goods and services (6)</b>		

	<b>Start date of the case</b>	<b>Nature</b>	<b>Organisations and departments concerned</b>	<b>Findings and follow up actions</b>
56.	October 2009	Alleged refusal of entry of a foreign domestic helper in a retail shop	A retail shop	The shop owner attributed the incident to miscommunication. Written advice issued on liability under RDO.
57.	October 2009	Chinese name of Mosque Street was alleged to be derogatory	Lands Department	The Department explained that it was a misunderstanding of the language and that the name did not involve racial discrimination.
58.	September 2009	Letters / notices issued in Chinese only, and some residents of public housing do not understand Chinese	Housing Authority	Advice letter issued to the Authority on legal provisions under RDO and sensitivity towards special needs of certain group of residents. The Authority accepted the advice and agreed to issue bilingual letter / notice in future.
59.	October 2009	Chinese version of balance sheets not provided by Owners' Incorporation	A property management company	Advice letter issued to the company on RDO. The company agreed to prepare Chinese version in future.
60.	October 2009	Chinese version of balance sheets not provided by Owners' Incorporation	A property management company	Advice letter issued to the company on RDO. The company agreed to provide Chinese version in future.
61.	October 2009	English version of meeting minutes not provided by Owners' Incorporation	A property management company	English version was available but not posted on the notice board. Advice letter issued to the company on RDO. The company agreed to post the English version of minutes for residents' information.

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB038**

Question Serial No.

0517

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 : In respect of “building relationships with equivalent bodies in the Mainland and overseas through proactive networking and co-operation”, please advise on the expenditure incurred by the Equal Opportunities Commission on receiving visits from delegations and participating in conferences outside Hong Kong in 2009-10. Please list out the major items and the targets of networking for each item. What are the numbers of visitors and officials who attended such conferences? Please advise on the resources earmarked by the Commission for networking in 2010-11 and the major functions.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Networking with counterparts in the Mainland and overseas countries is important for the Equal Opportunities Commission (EOC), as this provides a valuable platform for exchanges of knowledge and ideas, which is the key to development and enhancement of the EOC's work.

2. From April 2009 to February 2010, the EOC has received 516 visitors representing 24 delegations or organisations and introduced to them the anti-discrimination legislation in Hong Kong and the EOC's work in implementing the law and promoting equal opportunities. These organisations include, for example, the All-China Women's Federation, Canada-Hong Kong Parliamentary Friendship Group of Canada and Norwegian Centre of Human Rights of the University of Oslo. The EOC has also maintained contact and relationships with organisations of a similar nature in the Mainland and in overseas countries. The expenditure incurred in receiving visits from delegations is absorbed in the operational expenses and staff costs of the EOC and there is no separate breakdown. The EOC has not attended conferences or meetings outside Hong Kong in 2009-10.

3. For 2010-11, the EOC has set aside a provision of \$200,000 to cover participation in conferences and meetings outside Hong Kong, focusing mainly on conferences and meetings relating to human rights and equal opportunities. On the other hand, as with 2009-10, costs for receiving guests in 2010-11 are absorbed in the operational expenses and staff costs of the EOC and no separate breakdown is available. The particulars on the above networking function are to be determined.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB039**

Question Serial No.

0518

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With regard to government officials in the Government Secretariat responsible for matters relating to rights of the individual, please provide information on the civil service establishment, their responsibilities and the expenditure on salary for the past three years (i.e. 2007-08 to 2009-10).

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Constitutional and Mainland Affairs Bureau took over the policy responsibility relating to rights of the individual from the Home Affairs Bureau with effect from 1 July 2007. The relevant civil service establishment and the expenditure on salary for the past three years (i.e. 2007-08 to 2009-10) are set out below -

	<b>2007-08</b>	<b>2008-09</b>	<b>2009-10</b>
<b>Civil service posts</b>	2 Administrative Officer Staff Grade C 1 Senior Administrative Officer 2 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer	2 Administrative Officer Staff Grade C 2 Senior Administrative Officer 2 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer	2 Administrative Officer Staff Grade C 2 Senior Administrative Officer 3 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer
<b>Total salary</b>	\$8.19 million	\$9.72 million	\$10.42 million

The changes in establishment in 2009-10 comprise the creation of a Senior Executive Officer (SEO) post and the regrading of an SEO post to an Administrative Officer (AO) post. The SEO post was created to assist in promoting racial equality and enhancing the provision of support services for ethnic minorities. The regrading of an SEO post to an AO post was to support policy work pertaining to the Personal Data (Privacy) Ordinance (PDPO), including the review of the Ordinance and implementation issues relating to the PDPO, as well as housekeeping and resource matters of the Office of the Privacy Commissioner for Personal Data (PCPD).

2. The above staff are responsible for coordinating and overseeing the implementation of government policies on rights of the individual, including review of the PDPO; housekeeping of the PCPD and Equal Opportunities Commission; providing bureaux and departments with advice and guidance on compliance with the provisions of the PDPO and the Code on Access to Information; promotion of equal opportunities on grounds of gender, family status, race and sexual orientation; promotion of children's rights; promotion of public education and community participation to enhance public awareness of and respect for rights of the individual; provision of support services to ethnic minorities; overseeing compliance with the reporting requirements under five human rights treaties which apply to the Hong Kong Special Administrative Region, etc.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB040**

Question Serial No.

0521

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 : (a) For the 4 Offices in the Mainland set up by the SAR Government, please list out, by each office, the actual expenditure for 2008-09, the revised estimated expenditure for 2009-10 and the estimated expenditure for 2010-11.

(b) Please advise the expenditure on entertainment in 2008-09 to 2010-11 for each office.

Asked by : Hon. HO Chun-yan, Albert

Reply :

(a) Regarding the Beijing Office and the three Economic and Trade Offices in the (ETOs) Mainland, the actual expenditure for 2008-09, the revised estimate for 2009-10 and the estimate for 2010-11 are as follows:

Mainland Office	2008-09 Actual Expenditure (\$ million)	2009-10 Revised Estimate (\$ million)	2010-11 Estimate (\$ million)
Beijing Office	46.1	45.8	48.0
Guangdong ETO	31.6	32.2	36.3
Shanghai ETO	20.5	21.0	22.6
Chengdu ETO	14.9	16.1	15.1
Total :	113.1	115.1	122.0

(b) As for the entertainment expenditure of the four Mainland Offices, the actual expenditure for 2008-09, the revised estimate for 2009-10 and the estimate for 2010-11 are as follows:

Mainland Office	2008-09 Actual Expenditure (\$ million)	2009-10 Revised Estimate (\$ million)	2010-11 Estimate (\$ million)
Beijing Office	0.2	0.2	0.2
Guangdong ETO	0.2	0.3	0.4
Shanghai ETO	0.1	0.1	0.1
Chengdu ETO	0.2	0.2	0.1
Total :	0.7	0.8	0.8

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB041**

Question Serial No.

0615

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 : Please list the estimated expenditure on the salary for the positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau for 2010-11.

Asked by : Hon. HO Chun-yan, Albert

Reply :

The estimated expenditure on the salary for the positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau for 2010-11 are \$3.38 million, \$2.37 million and \$1.86 million respectively.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB042**

Question Serial No.

1400

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 : On Hong Kong's participation in the Shanghai Expo, in what way will the Administration assess whether the resources invested are value-for-money and could achieve the anticipated outcome?

Asked by : Hon. CHEUNG Hok-ming

Reply :

The Shanghai Expo is the first registered World Exposition to be held in a developing country, and another major international event to be held in China after the 2008 Beijing Olympics. Over 240 countries and international organizations will take part in the event and about 70 million visitors from the Mainland and abroad are expected, making it the widest possible participation in the history of Expo. Our participation in the Shanghai Expo will contribute to the nation's effort in making the Expo a most memorable international event.

2. In terms of economic benefits for Hong Kong, we had already conducted the relevant assessment when considering whether Hong Kong should participate in the Shanghai Expo. The outcome of the assessment was reported to Members in Paper PWSC(2008-09)12, considered by the Public Works Subcommittee on 21 May 2008. It was further updated in Paper EC(2009-10)3, which was submitted to the Establishment Subcommittee 29 April 2009.

3. In general, our participation in the Expo will be conducive to the long term development of the Hong Kong economy. It will bring significant quantifiable and unquantifiable benefits to Hong Kong. In particular, the Shanghai Expo will provide an excellent opportunity for the HKSAR to publicise Hong Kong's quality life and position as a creative capital. Our participation in it will help enhance Hong Kong's image, showcase our various strength and attractions, promote our broader commercial interest to both the Mainland and international audiences and further strengthen our economic relations with the Mainland.

4. According to the studies conducted by the Government Economist, the quantifiable economic benefits will likely be felt mainly in the tourism and related industries, as a result of the expected increase in the number of induced visitors to Hong Kong. These are estimated to be between \$250 million (in the main scenario) and \$375 million (in the high scenario) at 2008 prices. These figures are continually updated from time to time.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB043**

Question Serial No.

0683

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 : It is mentioned under programme (2) that the Bureau will continue to co-ordinate HKSAR's inputs to complement the preparation of the National 12<sup>th</sup> Five-Year Plan. Apart from the Constitutional and Mainland Affairs Bureau which is the co-ordinating Bureau, which bureaux will take part in the research work? In what ways will the Administration take forward the research work and consultation?

Asked by : Hon. CHAN Kin-por

Reply :

The Constitutional and Mainland Affairs Bureau has been co-ordinating the Hong Kong Special Administrative Region's (HKSAR) inputs to complement the preparation of the National 12<sup>th</sup> Five-Year Plan (the Plan), with active participation from other bureaux and departments. For instance, in May 2009 and January 2010, the Secretary for Constitutional and Mainland Affairs, together with representatives from the Financial Services and the Treasury Bureau, the Transport and Housing Bureau and the Environmental Protection Department, met with officials of the National Development and Reform Commission (NDRC) in Beijing to discuss our work in complementing the Plan. In September 2009, the Central Policy Unit organized a conference on "Global and China's Economy and Hong Kong's Future Development" in Hong Kong. It was attended by representatives of the NDRC and the Hong Kong and Macao Affairs Office, who subsequently met with representatives of the HKSAR Government, including Constitutional and Mainland Affairs Bureau, Financial Services and the Treasury Bureau, Commerce and Economic Development Bureau, Environment Bureau, Transport and Housing Bureau, Development Bureau, Education Bureau, Food and Health Bureau, and Home Affairs Bureau, to exchange views on the Plan directly.

2. The Administration will continue to work and liaise closely with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of “One Country, Two Systems”. Relevant bureaux and departments of the HKSAR Government will spare no efforts in the process.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB044**

Question Serial No.

0684

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 : For the Constitutional and Mainland Affairs Bureau, provision for 2010-11 under programme (2) is \$135.8 million higher than the preceding financial year, mainly due to the increased provision for matters relating to enhancing further co-operation and exchanges with Taiwan and the Shanghai Expo. Please advise on the co-operation and exchange programmes between Hong Kong and Taiwan in 2010-11. During the Expo period, will the Administration arrange visit tours to the event? Will promotion activities be held to attract Hong Kong people to visit the Expo in Shanghai?

Asked by : Hon. CHAN Kin-por

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 2009-10, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported various exchange activities between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of "One Country, Two Systems" principle.

2. In 2010-11, we will continue to enhance exchanges and cooperation with Taiwan. Our major work will include –

- (a) setting up the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) as a new platform to enhance cooperation in various policy areas with the Taiwan-Hong Kong Economic and Cultural Co-operation Council;
- (b) fostering exchanges with cities and counties of Taiwan through organising activities such as "Hong Kong-Taiwan Inter-City Forum";

- (c) sponsoring non-governmental organisations to organise fora, seminars and related activities which promote Hong Kong-Taiwan exchanges;
- (d) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems” principle;
- (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (g) 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” principle.

3. We have reserved \$4 million for promoting exchanges with Taiwan. In addition, we have reserved sufficient provisions for the activities of ECCPC and other related work.

4. We are actively promoting the Shanghai Expo and encouraging the local public to visit the event. In this connection, we have organised publicity activities to promote public interest and awareness. The Commission on Youth has given priority of funding to subsidise community organisations for organising such visits. The Education Bureau will organise a tour for 500 teachers and students, as part of a national education exchange programme this summer. A number of local organisations and commercial corporations will also fund and organise sponsored visits, especially for students and under-privileged persons, to visit the Shanghai Expo.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB045**

Question Serial No.

0776

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 : The Constitutional and Mainland Affairs Bureau will continue to co-ordinate HKSAR's inputs to complement the preparation of the National 12<sup>th</sup> Five-Year Plan. In this respect, please provide details and advise on the expenditure involved.

Asked by : Hon. LAU Kin-yee, Miriam

Reply :

The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of "One Country, Two Systems".

2. In 2010-11, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to co-ordinate the HKSAR's efforts in liaising with the Mainland authorities, including maintaining the Administration's working relationship with the National Development and Reform Commission, and co-ordinating efforts of bureaux and departments in liaising with their Mainland counterparts. In 2010-11, the CMAB has earmarked about \$240,000 for the above purpose. This amount covers the direct expenditure to be incurred in respect of meetings and similar events. In any event, the Bureau as a whole and the HKSAR Beijing Office will have sufficient staff and other resources which will be involved in promoting the complementary work of the HKSAR Government in relation to the preparation of the Plan.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB046**

Question Serial No.

0777

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 : In co-ordinating and enhancing co-operation and exchanges with Taiwan, the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council will be established in Hong Kong. Please advise on the progress of the related work and the expenditure involved. Will efforts be made in this financial year (2010-11) to seek the granting of visa-free access to Taiwan for HKSAR passport holders and the avoidance of double taxation for the transport industry? If yes, what efforts will be made? If no, what are the reasons?

Asked by : Hon. LAU Kin-yee, Miriam

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an

appropriate capacity. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

6. We have already suggested to the Taiwanese side that the issue of avoidance of double taxation should be considered. As for entry facilitation for visitors, we will consider other possible measures in the light of experience.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB047**

Question Serial No.

0806

Head : 144 GS: Constitutional and Mainland Affairs Bureau      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide details of support services for ethnic minorities in 2010-11 and the expenditure involved.

Asked by : Hon. LEE Cheuk-yan

Reply :

In 2010-11, we will continue to sponsor the four non-government organisations (NGOs) concerned to operate the four support service centres for ethnic minorities to carry out programmes to facilitate the integration of ethnic minorities into the community, and facilitate their access to public services. Services provided by these centres include free centralised telephone interpretation service, translation service, Cantonese and English language classes, after school tutorial classes, cultural and community programmes, counselling and referral services and various integration programmes to facilitate the integration of ethnic minorities into the community.

2. Apart from the four support service centres, CMAB will also continue to provide other support services to ethnic minorities, including publication of service guidebooks, sponsoring radio programmes in ethnic minority languages, operating the Harmony Scholarship Scheme, sponsoring the community support teams, and providing relevant information to ethnic minority new arrivals at the Airport via the Mobile Information Service.

3. The estimated expenditure in 2010-11 on support services for ethnic minorities (including the support service centres) is \$28.81 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB048**

Question Serial No.

1624

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 : It is stated in the Brief Description that the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council will be established. Please advise on the staffing and expenditure involved, and the specific work plan.

Asked by : Hon. LI Fung-ying

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an appropriate capacity. The Constitutional and Mainland Affairs Bureau will provide Secretariat support to the ECCPC. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector

and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB049**

Question Serial No.

1969

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (1) Director of Bureau's Office  
(2) Constitutional and Mainland Affairs  
(3) Mainland Offices  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please advise on the amount of resources actually used in 2008-09 and 2009-10 by the Administration and that reserved in 2010-11 for the following items. What are the contents and policy objectives of these activities?

- (a) expenditure for duty visits, exchanges and meetings in the Mainland by Hong Kong officials;
- (b) expenditure for exchanges, entertainment and meetings with Mainland officials and departments in Hong Kong;
- (c) expenditure for duty visits, exchanges and meetings in overseas countries by Hong Kong officials; and
- (d) expenditure for exchanges, entertainment and meetings with overseas officials and departments in Hong Kong.

Asked by : Hon. HO Sau-lan, Cyd

Reply :

In 2008-09 and 2009-10, the expenditure for duty visits, exchanges, entertainment and meetings are as follows -

	<b>2008-09 Actual expenditure (\$ million)</b>	<b>2009-10 Estimated expenditure (\$ million)</b>
The expenditure for duty visits, exchanges and meetings in the Mainland by Hong Kong officials	1.71	1.49
The expenditure for exchanges, entertainment and meetings with Mainland officials and departments in Hong Kong	1.64	3.48

The expenditure for duty visits, exchanges and meetings in overseas countries by Hong Kong officials	0.55	0.30
The expenditure for exchanges, entertainment and meetings with overseas officials and departments in Hong Kong	0.01	0.01

In 2010-11, we have made a provision of about \$4 million for duty visits, exchanges, entertainment and meetings in the Mainland and overseas countries. As for the exchanges, entertainment and meetings with Mainland and overseas officials and departments in Hong Kong, the provision is about \$2.58 million.

2. The above activities include attending conferences, meetings, study missions, visits, signing of agreements, etc. These activities enhance our liaison and communication with other parts of China and overseas countries, hence achieving our main objectives including strengthening exchanges and co-operation with Taiwan, Guangdong, Pan Pearl River Delta Region, Macao, etc.; complementing the preparation of the National 12<sup>th</sup> Five-Year Plan; promoting equal opportunities and human rights; etc. The increased provision for 2010-11 is mainly to cater for the increased number of duty visits, social functions and meetings required for providing administrative and logistical support for the HKSAR's participation in the World Exposition 2010 Shanghai China.

3. As one of the principal functions of our Mainland Offices is liaison with the Mainland officials and departments, the work is an integral part of the responsibilities of the Offices. Hence, there is no separate breakdown on all the resources involved in the above activities.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB050**

Question Serial No.

1980

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 : In 2009, the number of public enquiry and complaint cases received by the Office of the Privacy Commissioner for Personal Data increased by 43% and 26% respectively. Please provide the following information to this Committee:

- (a) the enquiry and complaint cases received in the past 2 years by category (categorised according to the nature of the cases); and
- (b) reasons for the dramatic increase in the number of enquiry and complaint cases in 2009, and whether the Administration will allocate additional resources to handle public enquiries and complaints. If yes, please provide detail information.

Asked by : Hon. HO Sau-lan, Cyd

Reply :

The nature of the enquiry and complaint cases handled by the Office of the Privacy Commissioner for Personal Data (PCPD) in 2008 and 2009 is summarized in the table attached at **Annex**.

2. The increase in the number of enquiries is mainly attributed to the enquiries raised by organizational data users for advice when introducing new initiatives that might have privacy impacts and the public enquiries received during PCPD's promotional efforts in the Education & Careers Expo.

3. The increase in the number of complaints is mainly a result of the increased number of investigation reports published by PCPD in 2009 (four in 2009 and one in 2008), especially after the publication of the report on collection and use of fingerprint data in July 2009.

4. In 2010-11, an additional provision of \$4.57 million has been earmarked for PCPD for the creation of five posts to strengthen the enforcement team of the PCPD, to

provide the necessary legal support and to enhance public education and promotion work. Three of the new posts are created to cope with the increase in the number of complaint cases.

5. With the additional provision of \$4.57 million mentioned above and after making the relevant adjustments (i.e. the one-off provision to PCPD in 2009-10 for enhancing promotion work, the adjustment in subvention subsequent to the civil pay adjustment in 2009 and the claw-back amount in 2009-10 for exceeding the reserve ceiling), the net increase in the subvention to PCPD in 2010-11, compared with the 2009-10 revised estimate, is \$3.5 million.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

**Number of Complaints and Enquiries**

	<b>2008</b>	<b>2009</b>
Total no. of complaints received	793	1 001
Total no. of enquiries received	13 112	18 760

**Nature of Complaints**

<b>Nature</b>	<b>2008</b>	<b>2009</b>
Use without consent	44%	38%
Collection	21%	31%
Inadequate Security	16%	11%
Access/Correction Requests	8%	9%
Direct Marketing	6%	5%
Accuracy and Retention	5%	6%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**Nature of Enquiries**

<b>Nature</b>	<b>2008</b>	<b>2009</b>
General Enquiries on Provisions of the Personal Data (Privacy) Ordinance and Data Protection Principles	36%	31%
Information about PCPD	13%	15%
Code of Practice on Human Resource Management	12%	13%
Workplace Surveillance	4%	4%
Biometrics Data	1%	4%
Code of Practice on Consumer Credit Data	2%	1%
Direct Marketing	5%	5%
Code of Practice on the Identity Card Number and other Personal Identifiers	4%	5%
Data Access Request	8%	8%
Debt Collection	2%	2%
Internet Related	2%	2%
Others	11%	10%
<b>Total</b>	<b>100%</b>	<b>100%</b>

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB051**

Question Serial No.

1985

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 : It is stated that the Bureau will “continue to strengthen co-operation with Guangdong Province and co-ordinate efforts in taking forward co-operation initiatives agreed at the Joint Conference, including drawing up the framework agreement on co-operation with Guangdong Province, overseeing the work of the relevant Expert Groups, providing secretariat support to the Greater PRD Business Council set up under the Joint Conference, and promoting Qianhai development”. In this connection, please provide detailed information, including the offices responsible for this area of work in the two places, the co-operation initiatives being implemented and under planning, the progress of work and the Co-operation Arrangements signed.

Asked by : Hon. HO Sau-lan, Cyd

Reply :

The Hong Kong/Guangdong Co-operation Joint Conference (Joint Conference) is currently underpinned by some 20 expert groups to take forward the co-operation initiatives between the two places in various fields. Each expert group is steered by the relevant bureaux/departments of the Hong Kong Special Administration Region Government (HKSARG) and the corresponding government authorities of Guangdong. The Constitutional and Mainland Affairs Bureau (CMAB) and the Hong Kong and Macao Affairs Office of the Guangdong Provincial Government serve as the liaison offices for the two Governments under the Joint Conference.

2. In addition, the Hong Kong side has set up the Greater Pearl River Delta Business Council (Council) to promote private sector exchanges and co-operation between Hong Kong and Guangdong. The CMAB provides secretariat support to the Council in arranging meetings, assisting in the publication of its reports as well as other related activities.

3. Through years of close co-operation between Hong Kong and Guangdong, a number of co-operation initiatives have been taken forward in different areas, including cross-boundary infrastructural projects, financial co-operation, trade and economic

co-operation, industries co-operation, tourism co-operation, regional air quality improvement, and education co-operation. The progress of the co-operation initiatives has been reported to the Legislative Council from time to time. Please refer to :

- (a) *LC Paper No.CB(1)347/09-10(01) "Latest Development on Hong Kong/Guangdong Co-operation" issued in November 2009;*
- (b) *LC Paper No.CB(2)669/09-10(01) "Hong Kong/Guangdong Economic Co-operation" issued in January 2010; and*
- (c) *LC Paper No.CB(1)1222/09-10(01) "The 14th Working Meeting of the Hong Kong/Guangdong Co-operation Joint Conference and the 3rd Liaison and Co-ordinating Meeting of Hong Kong, Guangdong and Macao in Jointly Taking Forward the Implementation of the Outline of the Plan for the Reform and Development of the Pearl River Delta" issued in February 2010*

for details.

4. The HKSARG and the Guangdong Provincial Government are also working closely in the formulation of the framework agreement on Hong Kong/Guangdong co-operation (framework agreement). The framework agreement will translate the macro policies set out in the Outline of the Plan for the Reform and Development of the Pearl River Delta into concrete measures conducive to the development of both places. It will also establish the basis for incorporating the relevant co-operation initiatives into the National 12th Five-year Plan. The work in relation to the formulation of the framework agreement is close to completion and we anticipate the framework agreement to be signed by both sides soon.

5. On Qianhai development, since the signing of the "Letter of Intent in Taking Forward Co-operation on Modern Service Industries between Hong Kong and Shenzhen in Qianhai" in August 2009, the HKSARG and the Shenzhen Municipal Government have established an expert group to follow up closely on the specific co-operation direction and content. The current consensus is for the Shenzhen Municipal Government to take up the leading role, and be responsible for the development and management of the Qianhai area, while the HKSARG will provide comments on the study and formulation of issues like development planning and policies.

6. During the 12th Plenary of the Joint Conference held in August 2009, eight agreements were signed, as follows:

- (a) Letter of Intent in Taking Forward Co-operation on Modern Service Industries between Hong Kong and Shenzhen in Qianhai;
- (b) Agreement on Education Co-operation between Hong Kong and Guangdong;
- (c) Co-operation Agreement on Implementing CEPA and Guangdong Pilot Measures;

- (d) Co-operation Arrangement on Joint Research and Development of Pharmaceutical Products (Vaccine) between Guangdong and Hong Kong;
- (e) Environmental Co-operation Agreement between Hong Kong SAR and Guangdong;
- (f) Co-operation Arrangement on Advancing Hong Kong-Shenzhen Western Express Line;
- (g) Co-operation Agreement of the Expert Group on Hong Kong/Guangdong Financial Co-operation; and
- (h) 2009-2010 Agreement on Guangdong/Hong Kong Co-operation on Intellectual Property.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB052**

Question Serial No.

1986

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding “formulate the way forward on the recommendations of the Law Reform Commission on stalking and make preparations for undertaking public consultation on the issue”, please advise on:

- (a) the relevant details, including the consultation schedule, the content of, the manpower and resources involved in the consultation;
- (b) the details of the relevant organisations and persons consulted in 2009-10; and
- (c) whether the Administration will first consider amending legislation on domestic violence so as to address the issue of relevant stalking behaviours through legislative means. If yes, what are the reasons? If not, what are the reasons?

Asked by : Hon. HO Sau-lan, Cyd

Reply :

- (a) The Law Reform Commission (“LRC”) Report on Stalking recommends the introduction of anti-stalking legislation to render the pursuit of a course of conduct causing another person alarm or distress a criminal offence and a civil wrong.
  2. The recommendations are controversial. While women’s groups are supportive of the proposed anti-stalking legislation, media associations have expressed grave reservations over the proposal as it might render legitimate news-gathering activities unlawful. In determining the way forward, we have to consider very carefully how we can look after press freedom and privacy at the same time. At the present stage, we are studying this report in depth for formulating the way forward.
  3. As the task above is an integral part of the work of the Bureau, there is no separate breakdown on the staffing arrangements and resource allocation for the task.

- (b) We are currently studying this report in depth and assessing the implication of the recommendations in the report, taking into account the latest developments in anti-stalking legislation in overseas jurisdictions. We will make preparations in 2010 for undertaking public consultation on the issue.
- (c) The Labour and Welfare Bureau considers that, before the issue is fully deliberated by the Constitutional and Mainland Affairs Bureau and by the community, it would be inappropriate as a matter of principle and impracticable from the law enforcement angle to criminalise by legislation stalking behaviour occurring in domestic relationships only. If stalking behaviour is to be penalised as a crime, all stalking behaviours, irrespective of whether they take place between persons in domestic relationships or otherwise, should be liable to the same level of criminal sanction under the law. In addition, if the law only makes it a criminal offence for stalking behaviour occurring between persons in domestic relationships, the Police will have to first establish the nature of relationship between the victim and the alleged offender before they can take any enforcement action in accordance with the relevant legal provision. This would pose significant enforcement difficulties to the Police.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB053**

Question Serial No.

1997

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 : In respect of complaints investigated by the Equal Opportunities Commission in 2009, please give a summary of cases where legal assistance was granted under the Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance. Please also list out the organisations or government departments involved, findings of the investigations and the expenditure involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009, 31 cases of legal assistance were provided by the Equal Opportunities Commission (EOC), including 10 cases under the Sex Discrimination Ordinance (SDO), 20 cases under the Disability Discrimination Ordinance (DDO), and 1 case under the Family Status Discrimination Ordinance (FSDO). The details, as at 5 March 2010, are listed at the Annex.

2. For the names of the parties involved, the EOC considers it inappropriate to disclose the information as some of the cases are on-going and publicity may have an effect on the conduct of the case, and for those settled on confidential terms, such disclosure may lead to a breach of confidentiality.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

## Details of cases of legal assistance granted in 2009

No.	Legislation	Description	Status	Costs Involved*
1	DDO	Disability discrimination in employment.	Parties settled on confidential terms.	nil
2	SDO	Sexual harassment in employment.	Writ issued in June 2009. Ongoing as at present.	\$1,490.6
3	DDO	Disability discrimination in employment.	The EOC withdrew assistance in light of expert's advice.	\$13,500
4	DDO	Disability discrimination in access to premises.	Parties settled on confidential terms.	nil
5	FSDO	Family status discrimination in employment.	Parties settled on confidential terms.	nil
6	SDO	Sexual harassment in employment.	Ongoing as at present.	\$30
7	DDO	Disability discrimination in employment.	The EOC withdrew assistance in view of the further information collected.	nil
8	DDO	Disability discrimination in employment.	The EOC withdrew assistance in view of the further information collected.	nil
9	DDO	Disability discrimination in employment.	Writ issued in February 2010. Ongoing as at present.	\$10,032
10	DDO	Disability harassment in employment.	Ongoing as at present.	nil
11	SDO	Pregnancy discrimination in employment.	Parties settled on confidential terms.	nil
12	DDO	Disability discrimination in employment.	The EOC withdrew assistance in view of the further information collected.	\$30
13	SDO	Pregnancy discrimination in employment.	Writ issued in December 2009.	\$732
14	SDO	Sexual harassment in employment.	Ongoing as at present.	\$958.5
15	SDO	Sex discrimination in employment in terms of dress code.	Ongoing as at present.	\$60,085
16	DDO	Disability discrimination in provision of goods, services and facilities.	Ongoing as at present.	nil
17	DDO	Disability discrimination in employment.	Parties settled on confidential terms.	nil
18	DDO	Disability discrimination in employment.	Ongoing as at present.	\$1,027

<b>No.</b>	<b>Legislation</b>	<b>Description</b>	<b>Status</b>	<b>Costs Involved*</b>
19	SDO	Sexual harassment in employment.	The EOC withdrew assistance as the applicant failed to respond to it.	nil
20	DDO	Disability discrimination in access to premises.	Ongoing as at present.	\$695
21	DDO	Disability discrimination in access to and management of premises.	Ongoing as at present.	nil
22	SDO	Pregnancy discrimination in employment.	Ongoing as at present.	\$50
23	DDO	Disability discrimination in provision of services.	Ongoing as at present.	nil
24	DDO	Disability discrimination in employment.	Ongoing as at present.	\$1,420
25	DDO	Disability discrimination in employment.	Ongoing as at present.	nil
26	DDO	Disability discrimination in employment.	The EOC withdrew assistance in view of the further information collected.	nil
27	SDO	Sexual harassment in employment.	Ongoing as at present.	\$1,592
28	DDO	Disability discrimination in access to premises.	Ongoing as at present.	\$42
29	DDO	Disability discrimination in employment.	Ongoing as at present.	nil
30	DDO	Disability discrimination in employment.	Ongoing as at present.	\$47
31	SDO	Pregnancy discrimination in employment.	Ongoing as at present.	\$30
			<b>Total:</b>	<b>\$91,761.10</b> <b>Say,</b> <b>\$92,000.00</b>

\* The cost does not include staff costs of EOC officers (including legal officers) and general operating costs of the EOC. As a result, in many cases only minor expenditures such as court filing fees, medical report charges and photocopying fees paid to external parties are reflected.

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB054**

Question Serial No.

1998

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 : Please list out, by the ordinances involved, the number of complaints conciliated and successfully conciliated by the Equal Opportunities Commission in 2009, the number of unsuccessful cases which have not been further followed up and the latest position of other unsuccessful cases which have been followed up.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009, the Equal Opportunities Commission conducted conciliation on 290 cases, among which 173 (60%) were successfully conciliated. The breakdown by ordinances is listed as below:

<b>Ordinance</b>	<b>Complaints conciliated</b>	<b>Conciliation successful</b>	<b>Conciliation unsuccessful</b>
Sex Discrimination Ordinance (SDO)	113	72	41
Disability Discrimination Ordinance (DDO)	173	100	73
Family Status Discrimination Ordinance (FSDO)	3	1	2
Race Discrimination Ordinance	1	0	1
<b>Total</b>	<b>290</b>	<b>173</b>	<b>117</b>

2. Complainants of cases which could not reach settlement could, as applicable, apply for legal assistance from the EOC or take civil action on their own. In 2009, EOC granted 31 cases of legal assistance in the year, including 10 cases under SDO, 20 cases under DDO and one case under FSDO. These cases arose from previous cases of unsuccessful conciliation, some of which covered conciliation cases in 2009 and some covered cases before that year.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB055**

Question Serial No.

1999

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 : Please list out the projects approved under the funding programme of the Equal Opportunities Commission in 2009, the organisations, the service target and the amount of funding involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009-10, the Equal Opportunities Commission granted funding to 64 projects under the Community Participation Funding Programme which involved a total budget of \$1.56 million. Details of the projects funded are at the Annex.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

## Community Participation Funding Programme 2009-10

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
1	H.K.S.K.H. Lady MacLehose Centre Family Activity and Resource Centre	“Equal Opportunities With Love and Care” Community Educational Project on Equal Opportunities	- Parents, children, teenagers and single parents	\$22,064
2	Caritas Integrated Family Service Centre – Tuen Mun	Family Diversity, Mutual Love and Acceptance	- Community members	\$49,100
3	Hong Kong Federation of the Blind	Award Scheme of Heroes of Barrier Free City	- The general public and persons with visual impairment	\$22,100
4	Chinese YMCA of Hong Kong Lam Tin Centre	Multi Culture Union	- Ethnic minority and Chinese teenagers, community members and disadvantaged groups	\$40,000
5	Matteo Ricci College, Kowloon	Harmony In Multi-Culture 09	- All students and teachers of the school	\$3,000
6	Association for the Rights of Industrial Accident Victims Ltd.	Care to Bridge the Distance between persons with & without disabilities (Translation)	- All persons with or without disabilities in Hong Kong	\$25,156
7	Tung Wah Groups of Hospital CEASE Crisis Centre	Know sexual harassment and say “No” to sexual harassment	- Companies participating in the “Caring Company Scheme” and their employees - Workers’ unions and their members - The general public	\$33,000

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
8	Hong Kong Drama / Theatre and Education Forum Ltd.	Embrace Cultural Diversity! – Community Art Project 2009	- The general public, including the ethnic minorities, the new arrivals and the persons with disabilities	\$37,400
9	New Life Psychiatric Rehabilitation Association	Achieve Harmony with Equal Opportunities (Translation)	- Community members, ex-mental patients and their family members, ethnic minority families	\$10,550
10	Hong Chi Association-Hong Chi Fanling Integrative Rehabilitation Complex	Beautiful Sunset	- Elders with mental disabilities and community members of the North District	\$11,060
11	Hong Kong Federation of Handicapped Youth	Inclusive Program Design Handbook	- Persons with disabilities, teachers, students, and community members	\$30,000
12	Delia Memorial School (Hip Wo)	Multicultural Festival 2009	- Students in the school	\$10,000
13	Chinese YMCA of Hong Kong Chai Wan Centre	Children Join Hands for Harmony between Races (Translation)	- Local and ethnic minority children, the elderly, community members	\$6,300
14	The Hong Kong Down Syndrome Association	‘We are the same’ – Show the Downs’ talents	- Students in Hong Kong, members of local organisations that serve the teenagers and families, members with Down syndrome and community members	\$40,000
15	Hong Kong PHAB Association Peng Chau Neighbourhood Elderly cum Children / Youth Centre	For Everyone to Enjoy (Translation)	- Persons with disabilities, teenagers, women, elderly and community members	\$12,548

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
16	H.K.S.K.H. Shatin Children & Youth Integrated Service Centre	“I Can Fly too!” Children Growth Project	- Primary 1 to 4 students with specific learning difficulties (SLD), parents and community members	\$20,600
17	Hong Kong Children & Youth Services Jockey Club Tin Ping Integrated Children & Youth Service Centre	Start from “HEAR” – Community Education Project on Equality	- Persons with hearing impairment, 14-20 years old teenagers in the North District	\$18,490
18	Rehabaid Society	Inclusive Environment, From Schools to the Society	- Secondary school students in Hong Kong	\$18,500
19	Yan Oi Tong	Our Colorful Community – Multi-Culture Project	- Chinese and ethnic minority teenagers and community members	\$43,706
20	Bravo Theatre	“One world, One treatment” Slogan Design and Display for Primary Schools in Hong Kong (Translation)	- All primary schools in Hong Kong and members of the public	\$40,000
21	The Boys’ & Girls’ Club Association of Hong Kong Jockey Club Southern District Children & Youth Integrated Service Centre	“Education Project 2”: to promote a barrier-free education environment (Translation)	- 5 to 12 years old members of units under the organisation and their families and community members	\$30,000
22	Hong Kong Joint Council for People with Disabilities	Promotional Scheme and Ambassador Training on “UN Convention on the Rights of Persons with Disabilities”	- Persons with disabilities, rehabilitation workers, community members	\$40,420
23	Hong Kong Blind Union	“SEE with your HEART” Hong Kong Blind Union – Public Education Activities	- All students, corporate employees and members of the public	\$23,300

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
24	KELY Support Group Limited	“Being Proactive and Moving Beyond Racial Harmony” – An Anti-Racism Leadership Training Programme for Ethnic Minority Youths in Hong Kong	- Ethnic minority youths in Hong Kong	\$42,300
25	Christian Action CKMSC	Chung King Mission	- Local and expatriate community, government, NGOs, schools, community centres, commercial sectors etc.	(\$25,000) (Funding granted but applicant later withdrew application)
26	Hong Kong Integrated Nepalese Society (HINS)	“Women Empowering through Cultural Activity”	- Nepalese community, especially women in Hong Kong	\$32,025
27	Yuen Long Town Hall	Joy of Fusion	- Ethnic minorities	\$47,000
28	Indonesian Migrant Workers Union (IMWU)	Capacity Building for Indonesian Migrant Workers Union in tackling discriminatory practices against Indonesian migrant workers	- Domestic helpers	\$30,000
29	The Hong Kong Coalition of Indonesian Migrants Workers Organizations (KOTKIHO)	Enhancing the Understanding of Hong Kong Ordinances for Indonesian migrant domestic helpers	- Domestic helpers	\$30,000
30	The Chinese Rhenish Church Hong Kong Synod (CRCHKS)	Hong Kong – Our Home Away From Home	- Domestic helpers	\$30,000

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
31	Patient Resource and Social Centre, Kwai Chung Hospital	Equal Opportunities for Patients' Inclusion in the Community (translation)	- Patients in the hospital and their families, ex-mental patients and community members	\$11,000
32	The Hong Kong Management K S Lo College	We are the same!	- Community members	\$23,925
33	Chinese YMCA of Hong Kong Y's Men's Centre for the deaf	Snapshots of Our lives (translation)	- All persons with or without disabilities in Hong Kong	\$30,000
34	Fu Hong Society Shun Lee Adult Training Centre	Best Buddies Program	- Secondary school students, persons with disabilities and the elderly	\$3,450
35	Hong Chi Morninghill School, Tuen Mun	Join to Integrate, Share the Joy (translation)	- Students and parents of child care centres, primary / secondary schools and community members	\$16,800
36	Hong Kong Workers' Health Centre Limited	Re-print "I Can Do It, Reasonable Accommodation" Booklet	- Employees, especially human resources practitioners and managers, and employers in Hong Kong	\$6,000
37	Hong Kong Rehabilitation Power	Eliminating Discrimination, we are Equal	- Members of the public	\$22,700
38	Heep Hong Society Catherine Lo Center	Holding Our Hands Making Blue Sky Integration Project	- Children with disabilities, their parents and community members	\$7,800
39	Enlighten Hong Kong Limited	C.A.R.E. about Epilepsy	- Members of the public	\$26,000

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
40	The Rehabilitation Alliance Hong Kong Ltd	Integration for Airline Services: Views from Different Aspects (translation)	- Local airline companies and the general public	\$37,280
41	Hong Kong Association of the Deaf	Know more about the Deaf People – an equal opportunity promotion scheme for the betterment of the Deaf and the Hearing People in our society	- Members of the public	\$15,600
42	Richmond Fellowship of Hong Kong-Ping Shan House	Equally Work Together	- Ex-mental patients, teenagers, employers and community members	\$25,580
43	ELCHK, Kwai Chung Neighbourhood Elderly Centre	The Angels of Equal Opportunities	- Community members	\$10,000
44	Hong Kong Repertory Theatre Limited	“Blue Blood” – A Theatre-in-Education Project on Racial Equality	- Secondary school students in Hong Kong	\$40,000
45	Asian People’s Theatre Festival Society	Eliminating Racial Discrimination through Theater Arts	- Migrant communities and local Chinese	\$38,000
46	Caritas Tuen Mun Marden Foundation Secondary School	Eliminating Racial Discrimination	- Community members	\$8,350
47	Hong Kong-Macao Conference of Seventh-day Adventists	Hand-in-hand Together Racial Integrated Project 2009	- Teenagers, women and ethnic minority families	\$28,420
48	Tai Hang Residents’ Welfare Association Youth Centre	Equality with Racial Integrity (Translation)	- Community members	\$1,500

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
49	The Neighbourhood Advice-Action Council – TPIS	Leader Sans Frontieres (LSF)	- Local and ethnic minority children and teenagers, and the elderly	\$34,702
50	HKSKH Lady MacLehose Centre	“Harmony KWAI TSING” Community Participation Scheme on Racial Equability	- Community members	\$24,600
51	The Boys’ and Girls’ Clubs Association of Hong Kong Jockey Club South Kwai Chung Children and Youth Integrated Services Centre	Love In Varied Environment (LIVE project)	- Ethnic minority communities and local Chinese children, teenagers and community members	\$26,610
52	Chinese YMCA of Hong Kong Hin Keng Center	“JOY” Together	- Families of different races	\$16,960
53	Hong Kong Unison	Protecting Ethnic Minorities from Race Discrimination in Employment and Workplace	- Ethnic minority residents in Hong Kong	\$48,800
54	United Filipinos in Hong Kong (UNIFIL-HK)	Promote Racial Discrimination Ordinance, Enhance Racial Harmony	- Own members and 25 member organisations	\$22,900
55	Association of Indonesian Migrant Workers in Hong Kong (ATKI-HK)	Training the Trainers for the Promotion of Race Relations Among Ethnic Minorities (Indonesians) in Hong Kong	- Domestic helpers	\$20,300
56	Far East Overseas Nepalese Association	Let’s Fight Racial Discrimination and Promote Racial Integration by Celebrating a Great Festival Tihar	- Community members	\$29,600

<b>Number</b>	<b>Name of Organisation</b>	<b>Name of Project</b>	<b>Target Participants</b>	<b>Amount Funded</b>
57	Mission for Migrant Workers HK Society Limited	Visions of Racial Harmony: Poster-Making Competition and Exhibition for the Asian Domestic Workers	- Asian domestic workers from partners and network of the organisation	\$27,750
58	Association Concerning Sexual Violence Against Women	“All Women are Magnificent” – Project Promoting Gender Equality (translation)	- Secondary school students, teachers and social workers	\$38,000
59	Hong Kong Federation of Women’s Centres	CEDAW Action: Community Education Programme to promote CEDAW	- Women and members of the public	\$26,300
60	St. John’s Cathedral HIV Education Centre	Patients’ Rights Are My Rights	- Ethnic minorities and interested parties	\$27,640
61	Enrich Personal Development Limited	Sex Discrimination: Confidence and Communication	- Female migrants, ethnic minorities and new arrivals in Hong Kong	\$15,475
62	The Lutheran Centre For The Blind, Hong Kong Lutheran Social Service, LC-HKS	“Music without Boundaries” Equal Participation Project	- Community members, persons with or without disabilities, ethnic minority residents and students	\$20,250
63	New Arrival Women League	Born Different, Live in the Same	- New arrival women and community members	\$21,000
64	The Incorporated Management Committee of Hong Chi Winifred Mary Cheung Morning Hope School	Building Up Integration and Caring Society	- Ethnic minority students of the school and their parents and ethnic minority residents	\$10,900

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB056**

Question Serial No.

2000

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 : Please list out the respective numbers of and expenditures on visits, seminars, drama performances, and training activities organised by the Equal Opportunities Commission in 2009. Please list out, by target group (such as government departments, civil associations, schools, different professions), the number of training activities.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The number of visits, seminars, drama performances and training organised by the Equal Opportunities Commission (EOC) in 2009 and the expenditure involved are as follows:

	<b>Number of Activities</b>	<b>Expenditure (\$)</b>
<b>Visits by individuals / organisations to EOC*</b>	32	---
<b>Seminars</b>	8	14,400
<b>Drama Performances</b>	303	1,011,000
<b>Training</b>	504	109,100
<b>Total</b>	<b>843</b>	<b>1,134,500</b>

\* Note: The expenditure of the visits was absorbed under the EOC's operating and administration expenses.

2. "Tailor-made" and "calendar" training programmes are conducted to raise awareness of discrimination and harassment for public and private sectors as well as non-governmental organisations (NGOs). Tailor-made training sessions are provided on

initiation or request by different organisations, whereas two series of calendar training programme are organised each year for all members of the public. The respective details are provided under Tables A and B below. Apart from training programmes, introductory talks are also organised for schools, NGOs, public bodies and ethnic minority groups to promote equal opportunities to the community.

**Table (A): Tailor-made training programmes in 2009**

<b>Category of participants</b>	<b>Number of training sessions</b>
1. Government departments	74
2. NGOs (including ethnic minority groups)	57
3. Education sector (including tertiary institutions, secondary and primary schools)	98
4. Different sectors (including banking and finance, insurance, catering, property management, wholesale and retail, trade unions and others)	232
<b>Total</b>	<b>461</b>

**Table (B): Calendar training programmes in 2009**

<b>Target participants</b>	<b>Number of training sessions</b>
1. Members of the public	19
2. Managers, human resources personnel and business owners	17
3. Members of the ethnic minorities	7
<b>Total</b>	<b>43</b>

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
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Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB057**

Question Serial No.

2001

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 : Please provide a summary of the self-initiated investigations undertaken by the Office of the Privacy Commissioner for Personal Data in 2009. Please also list out the targets concerned, the time when the cases happened, the progress or findings of the investigations as well as the expenditure and manpower involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

11 self-initiated investigations were conducted by the Office of the Privacy Commissioner for Personal Data (PCPD) in 2009. Of these 11 cases, four of them concern suspected data loss incidents by public sector data users and seven of them concern suspected improper collection, retention and use of personal data by private sector data users. Investigations of three cases have been completed and eight are still on-going. The outstanding cases are either complicated in nature or initiated in response to incidents which occurred in the latter part of 2009.

2. Since all staff of the PCPD are required under section 46(1) of the Personal Data (Privacy) Ordinance to maintain secrecy in respect of any information obtained in an investigation, the PCPD is unable to provide further details about these investigation cases.

3. Self-initiated investigations are handled by the Operations Division and the Compliance Division of the PCPD. The number of officers of the two Divisions in 2009

were 13 and 10 respectively. Since the investigation work involved is part of the staff's duties, there is no separate breakdown on the manpower and expenditure involved.

Signature \_\_\_\_\_

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Post Title Permanent Secretary for  
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Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB058**

Question Serial No.

2002

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 : Regarding the 1151 cases handled by the Office of the Privacy Commissioner for Personal Data in 2009, by whom or which institutions were these cases mainly raised? Which trades were mainly involved in these complaint cases? What is the number of cases where government departments were involved? Please list out the government departments/public bodies involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Of the 1 151 complaint cases handled by the Office of the Privacy Commissioner for Personal Data (PCPD) in 2009:

- (a) 861 (75%) were against private sector organizations;
- (b) 156 (13%) were against public sector organizations (of which 110 cases were related to government departments and 46 cases related to other public bodies); and
- (c) 134 (12%) were against individuals.

2. The majority of complaints against private sector organizations were related to the banking and finance industry (204 cases), property management (133 cases) and telecommunications industry (111 cases).

3. The complainants are all data subjects. As staff of the PCPD are bound by the secrecy provision of the Personal Data (Privacy) Ordinance, PCPD cannot provide the details about the complainants and names of the government departments or other public bodies being complained against.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB059**

Question Serial No.

2003

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 : In respect of "investigation completed" by the Office of the Privacy Commissioner for Personal Data, please list the number of cases completed within 90 days, within 180 days and beyond 180 days counting from the date of receipt of the cases till the end of February 2009 or completion of the investigation. Please also list the percentage of such cases against the total number of complaint cases.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009, the PCPD completed investigation into 892 complaint cases. Of these 892 cases:

- (a) 682 cases (76%) were completed within 90 days;
- (b) 152 cases (17%) were completed beyond 90 days but within 180 days; and
- (c) 58 cases (7%) were completed beyond 180 days.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

**JOSHUA LAW**

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Permanent Secretary for  
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17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB060**

Question Serial No.

2004

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 : Please list out the respective number of staff in the Office of the Privacy Commissioner for Personal Data responsible for promoting public understanding of the provisions of the Personal Data (Privacy) Ordinance, conducting investigations and carrying out inspections of personal data systems in 2009. What are the relevant staffing establishments? What is the average number of simple and complicated cases handled by each investigator each year and what is the number of investigators responsible for conducting self-initiated investigations?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

As at 31 December 2009, the actual number of staff in the Office of the Privacy Commissioner for Personal Data (PCPD) responsible for handling promotion, investigation and inspection work are as follows :

- (a) Promotion (including publicity and education) work : two Corporate Communications Officers led by one Corporate and Communications Manager;
- (b) Investigation work : a total of 13 officers comprising one Chief Personal Data Officer, three Senior Personal Data Officers, five Personal Data Officers and four Assistant Personal Data Officers; and
- (c) Inspection work : a total of four officers comprising one Chief Privacy Compliance Officer, one Senior Personal Data Officer, one Personal Data Officer and one Assistant Information Technology Officer. Other officers of the Compliance Division (six officers) will be re-deployed to assist as and when need arises.

As self-initiated investigations are part of the duties of the Operations and Compliance Divisions, there is no separate breakdown on the manpower and expenditure involved.

2. In 2009, the PCPD completed investigation into 892 complaints, of which 626 were simple cases and 266 were complicated cases. These cases were handled mainly by the Operations Division. Under the current organizational structure of the Operations Division, there are one screening team (comprising one Personal Data Officer and five Assistant Personal Data Officers led by one Senior Personal Data Officer) mainly responsible for simple cases, and two investigation teams (each comprising one Senior Personal Data Officers and two Personal Data Officers) mainly responsible for complicated cases.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB061**

Question Serial No.

2005

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 : The position of the Chief Operations Officer (COO) will be created in the Equal Opportunities Commission in 2010-11. When will the demarcation of duties between the Chairman and the COO be decided? When will open recruitment of the COO be conducted? What is the additional provision for meeting the expenditure involved? The remuneration for the COO is equivalent to the remuneration of which civil service rank?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The duties and responsibilities of the Chief Operations Officer (COO) are being worked out by the Equal Opportunities Commission (EOC), and the COO will be recruited by the EOC through open recruitment as soon as possible. The COO post is equivalent to Point 3 of the Directorate Pay Scale in the Civil Service. The subvention for the EOC will be increased by \$2.4 million in 2010-11 for the position.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

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Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB062**

Question Serial No.

2006

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 : The provision for the Privacy Commissioner for Personal Data will be increased in 2010-11 for additional manpower. Please advise on the amount of additional provision, the number of additional staff to be deployed and the ranks involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government is firmly committed to the protection of personal data privacy and will strive to provide resources at an appropriate level to support the Office of the Privacy Commissioner for Personal Data (PCPD) for effective enforcement of the Personal Data (Privacy) Ordinance. In 2010-11, an additional provision of \$4.57 million is provided to the PCPD to step up its enforcement and promotion work. Details of the additional provision are as follows:

- (a) \$3.05 million for strengthening the enforcement team of the PCPD through the creation of three posts to cope with the increased number of complaint cases. The three posts are one Chief Personal Data Officer, one Senior Personal Data Officer, and one Personal Data Officer;
- (b) \$0.82 million to create one Legal Counsel post to provide the necessary legal support; and
- (c) \$0.7 million to create one Corporate Communications Officer post to strengthen PCPD's promotion and education work on personal data privacy.

2. With the additional provision of \$4.57 million mentioned above and after making the relevant adjustments (i.e. the one-off provision to the PCPD in 2009-10 for enhancing promotion work, the adjustment in subvention subsequent to the civil service pay adjustment in 2009 and the claw-back amount in 2009-10 for exceeding the reserve

ceiling), the net increase in the subvention to the PCPD in 2010-11, compared with the 2009-10 revised estimate, is \$3.5 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB063**

Question Serial No.

2007

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 : It was stated in the Capital Account of the revised estimate for 2009-10 that the Privacy Commissioner for Personal Data was provided with a subvention of \$385,000. What was the use of the subvention?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Two capital items totaling \$385,000 were created in 2009-10. Details are as follow:

- (a) The current stocks of desktop computers and monitors in the Office of the Privacy Commissioner for Personal Data (PCPD) have been operating for at least five years and ten years respectively. As they have all reached the end of their life expectancy, they are either performing marginally or encountering hardware failure from time to time. A new commitment of \$190,000 has been approved under the capital account subhead for the overhaul of this obsolete desktop computer system; and
- (b) The existing Private Automatic Branch Exchange-cum-Interactive Voice Response System (IVRS) used by the PCPD was installed in 2002 to handle all telephone communications of the PCPD. The system is getting old and there were frequent problems in the IVRS and the internal extensions. The manufacturer has also ceased to provide some spare parts of the system. A capital item of \$195,000 has been approved under the capital account subhead for the overhaul of this obsolete telephone system.

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Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB064**

Question Serial No.

2020

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 : The Constitutional and Mainland Affairs Bureau will work closely with the Electoral Affairs Commission to conduct by-elections to the LegCo in 2010-11. What is the provision to be allocated by the Bureau for this purpose? What are the specific expenditure items?

Asked by : Hon. IP Kwok-him

Reply :

To prepare for the 2010 Legislative Council by-election for the five geographical constituencies ("LegCo by-election"), the Constitutional and Mainland Affairs Bureau ("CMAB") is working closely with the Electoral Affairs Commission ("EAC") on the necessary preparatory work (e.g. identification of polling stations, recruitment of electoral staff, voting and counting arrangements). We are also co-ordinating with various government departments on the publicity work for the upcoming by-election.

2. These tasks form an integral part of the Bureau's election-related policy work in 2010-11 and are carried out by the existing staff establishment of the Bureau.

3. The EAC has the statutory responsibility for the conduct and supervision of elections. The Registration and Electoral Office ("REO") provides the EAC with the necessary support in conducting the LegCo by-election. The costs for conducting the LegCo by-election will be met by the REO.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

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Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB065**

Question Serial No.

2021

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 : The Shanghai Expo will be held from 1 May to 31 October 2010. The Constitutional and Mainland Affairs Bureau will be responsible for coordinating HKSAR's participation in the Expo. What is the estimated expenditure for this purpose in the 2010-11 Estimates? What is the staffing establishment involved? What are the changes as compared with the figures in 2009-10?

Asked by : Hon. IP Kwok-him

Reply :

In 2010-11, the establishment in the Constitutional and Mainland Affairs Bureau for coordinating the HKSAR's participation in the 2010 Shanghai Expo will remain unchanged at three civil service posts and five non-civil service posts. The expenditure involved is estimated to be \$3.73 million. This is \$0.50 million less than that for 2009-10, after taking into account the effect of the civil service pay reduction and because some of the staff involved will not be required after the Expo closes in October.

2. The above does not include other operating and non-recurrent expenditures, estimated to be \$162.79 million, which will be incurred in 2010-11 for operating the Hong Kong Pavilion and the Urban Best Practices Area (UBPA) Exhibition, for organising a wide range of cultural performances and promotion activities, as well as for developing the Online Hong Kong Pavilion and Online UBPA Exhibition.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB066**

Question Serial No.

2022

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 : To further enhance co-operation and exchanges with Taiwan, the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council will be established. Please advise on the specific work plan for 2010-11, the estimated budget and the staffing involved.

Asked by : Hon. IP Kwok-him

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an appropriate capacity. The Constitutional and Mainland Affairs Bureau will provide Secretariat support to the ECCPC. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB067**

Question Serial No.

2177

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 : Provision to the Equal Opportunities Commission for 2010-11 has increased by 3.6%. In this connection, how will the provision be used by the Equal Opportunities Commission in conducting projects / training activities for the promotion of equal opportunities between men and women, between persons of different races, persons with a disability and persons without a disability and irrespective of family status?

Asked by : Hon. CHEUNG Kwok-che

Reply :

The increase of 3.6% in the subvention of the Equal Opportunities Commission (EOC) in 2010-11 will mainly cover additional manpower expenditure. This includes:

- (a) the creation of a Chief Operations Officer post to oversee the administrative and operational matters with a view to strengthening the governance of the EOC;
- (b) the creation of one Senior Equal Opportunities Officer and one Assistant Equal Opportunities Officer for handling complaints in enforcing the Race Discrimination Ordinance (RDO); and one Senior Equal Opportunities Officer for strengthening the administrative support for the additional work and increase in staff arising from the implementation of the RDO; and
- (c) the provision of a full-year subvention for five posts (comprising one Equal Opportunities Officer and one Assistant Equal Opportunities Officer for handling complaints in enforcing the RDO; and one Senior Corporate Communications Officer and two Corporate Communications Officers for work related to promotion and education) which have been granted recurrent subvention starting from July 2009 following the full implementation of the RDO.

2. The manpower of the Corporate and Communications Training Unit has been strengthened. The Unit will conduct the following training and public education programmes in 2010-11 to promote equal opportunities in areas covering the four anti-discrimination ordinances:

- (a) training programmes which enable the public and private sectors to acquire an in-depth understanding of equal opportunities legislation. These include 350 workshops and seminars, and cover more than 20 topics such as introduction to equal opportunities ordinances, preventing and managing harassment, managing complaints in the workplace, equal opportunities in the provision of goods, services and facilities, introduction to mediation and valuing diversity;
- (b) public education through traditional mass media (TV and radio programmes) as well as new media (EOC website, YouTube videos, on-line training modules and other Internet platforms);
- (c) school programmes, including talks, drama performances, mentorship programme and competitions targeting youth;
- (d) EO Club seminars and e-newsletters promoting equality practices to human resources practitioners;
- (e) funding programme for community groups and schools to carry out anti-discrimination projects;
- (f) community education / outreach efforts to ethnic minorities and other disadvantaged groups; and
- (g) publicity campaigns, including those on public transportation systems, production of informational newsletters/publications, and roving exhibitions at public venues.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB068**

Question Serial No.

1089

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 : Under this programme, the estimated provision for 2010-11 is \$262 million, representing a marked increase of 107.6% over the provision for the last financial year. Please state in detail the reasons for the substantial increase and the use of the increased provision.

Asked by : Hon. IP Kwok-him

Reply :

Under Programme (2): Constitutional and Mainland Affairs, the estimated provision for 2010-11 is 107.6% (\$135.8 million) higher than the revised estimates for 2009-10 mainly because the provision for matters relating to the World Exposition 2010 Shanghai China has increased by about \$120 million. There are also increased provisions for other constitutional and mainland affairs matters and related initiatives.

2. The use of the increased provision for Programme (2) in 2010-11 is set out below in detail -

<b>Item</b>	<b>Use of the increased provision</b>
(a) World Exposition 2010 Shanghai China	Providing administrative and logistical support for the HKSAR's participation in the World Exposition 2010 Shanghai China

- (b) Other constitutional and mainland affairs matters and related initiatives      Enhancing liaison and communication with other parts of China, strengthening support for co-operation with Pan Pearl River Delta, enhancing exchanges and co-operation with Taiwan, developing the electoral systems in accordance with the relevant provisions of the Basic Law, etc.

Signature \_\_\_\_\_

Name in block letters      JOSHUA LAW

Post Title      Permanent Secretary for  
Constitutional and Mainland Affairs

Date      17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB069**

Question Serial No.

1090

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 : The main responsibilities of the Constitutional and Mainland Affairs Bureau under this programme include ensuring the development of the electoral systems in accordance with the relevant provisions of the Basic Law. In this connection, please advise on the following:

- (a) As far as the 2010 LegCo by-election to be held on 16 May is concerned, in what ways will the Bureau discharge this responsibility? What are the main areas of work involved?
- (b) In discharging this responsibility, what is the estimated expenditure for 2010-11?

Asked by : Hon. IP Kwok-him

Reply :

The Constitutional and Mainland Affairs Bureau is working closely with the Electoral Affairs Commission (“EAC”) to ensure that the 2010 Legislative Council by-election for the five geographical constituencies (“LegCo by-election”) will be conducted in accordance with the laws of Hong Kong. The necessary preparatory work for the upcoming by-election includes identification of polling stations, recruitment of electoral staff, voting and counting arrangements, etc. Such work is carried out by the Registration and Electoral Office (“REO”). We are also co-ordinating with various government departments on the publicity work for the by-election.

2. These tasks form an integral part of the Bureau’s election-related policy work in 2010-11 and are carried out by the existing staff establishment of the Bureau.

3. The EAC has the statutory responsibility for the conduct and supervision of elections. REO provides the EAC with the necessary support in conducting the LegCo by-election. The costs for conducting the LegCo by-election will be met by the REO.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB070**

Question Serial No.

1091

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 : The main responsibilities of the Constitutional and Mainland Affairs Bureau under this programme include following up with the relevant Mainland authorities on how the HKSAR could complement the preparation of the National 12<sup>th</sup> Five-Year Plan under the principle of “One Country, Two Systems”. In this connection, please provide details of:

- (a) the specific work undertaken by the Bureau in 2009-10 and the expenditure involved;
- (b) the work planned for 2010-11 and the estimated expenditure.

Asked by : Hon. IP Kwok-him

Reply :

The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of “One Country, Two Systems”.

- (a) In 2009-10, the Constitutional and Mainland Affairs Bureau (CMAB) has been co-ordinating the HKSAR's inputs to complement the preparation of the Plan and maintaining the Administration's working relationship with National Development and Reform Commission (NDRC). Major efforts included the following, which involved an expenditure of about \$350,000:

- (a) in May 2009, the Secretary for Constitutional and Mainland Affairs (SCMA) led a delegation of the HKSAR Government to meet with officials of the NDRC in Beijing to discuss our work in complementing the Plan;

- (b) following the conference on “Global and China’s Economy and Hong Kong’s Future Development” organised by the Central Policy Unit in Hong Kong, SCMA chaired a seminar in Hong Kong in September 2009 for representatives of the NDRC and the Hong Kong and Macao Affairs Office and officials of the relevant bureaux and departments of the HKSAR Government to discuss our complementary work relating to the Plan; and
- (c) in January 2010, SCMA led another delegation of the HKSAR Government to meet with officials of the NDRC to further discuss our complementary work.

(b) In 2010-11, CMAB will continue to co-ordinate the HKSAR’s efforts in complementing the preparation of the Plan, including maintaining the Administration’s working relationship with NDRC and co-ordinating efforts of bureaux and departments in liaising with their Mainland counterparts. In 2010-11, the CMAB has earmarked about \$240,000 for the above purpose. This amount covers the direct expenditure to be incurred in respect of meetings and similar events. This is lower than that of 2009-10 because the preparation of the Plan is at the final stage. Nevertheless, CMAB will keep in view the developments closely and ensure that sufficient resources will be deployed by CMAB and the HKSAR Beijing Office for the purpose.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB071**

Question Serial No.

1092

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 : In taking forward the implementation of “the Outline of the Plan for the Reform and Development of the Pearl River Delta”, what are the responsibilities of the Constitutional and Mainland Affairs Bureau? Please also state in detail:

- (a) the specific work undertaken by the Bureau in 2009-10 and the expenditure involved.
- (b) the work planned for 2010-11 and the estimated expenditure.

Asked by : Hon. IP Kwok-him

Reply :

The Hong Kong Special Administrative Region (HKSAR) Government attaches great importance to enhancing co-operation with Guangdong, and in particular, the implementation of “The Outline of the Plan for the Reform and Development of the Pearl River Delta” (the Outline), which has elevated co-operation between the two places to a national strategic level. The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for co-ordinating HKSAR Government’s efforts in co-operating with Guangdong and implementing the Outline.

(a) In 2009-10, CMAB has taken on an active role in organising or facilitating the following events, which were related to the implementation of the Outline:

- (a) From April to June 2009, the Chief Secretary for Administration led business delegations to visit the nine municipalities in the Pearl River Delta region, so as to gain a better understanding of the implementation of the Outline by the relevant municipalities. A large-scale forum was also organized by the Administration in July 2009 in Hong Kong to further promote ties between Governments and industries in both Guangdong and Hong Kong.

- (b) In May 2009 and February 2010, the 2nd and 3rd Liaison and Co-ordinating Meetings of Hong Kong, Guangdong and Macao in Jointly Taking Forward the Outline were held in Macao and Guangzhou respectively.
- (c) In August 2009, the 12th Plenary of the Hong Kong/Guangdong Co-operation Joint Conference was held to, among others, review progress of and discuss future directions on the implementation of the Outline.
- (d) In September 2009, with CMAB providing secretariat support, the Greater Pearl River Delta Business Council released a study report in response to the Outline. The HKSAR Government and Guangdong Province are studying the proposals of the report with a view to further facilitating the implementation of the Outline.

2. In particular, CMAB has been working closely with Guangdong in drawing up a framework agreement for Hong Kong-Guangdong co-operation. This framework will translate the Outline's macro policies into concrete measures conducive to the development of both places, with a view to incorporating the related policies into the National 12<sup>th</sup> Five Year Plan. We hope to sign the framework agreement with Guangdong soon. In 2009-10, the expenditure of CMAB in promoting co-operation between Hong Kong and Guangdong, including the implementation of the Outline and the above events, was about \$1.7 million.

- (b) In 2010-11, we will continue with the above efforts in promoting co-operation with Guangdong, as well as the implementation of the Outline. We have earmarked about \$1.4 million for the purpose. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose.

Signature \_\_\_\_\_

Name in block letters **JOSHUA LAW**

Post Title **Permanent Secretary for  
Constitutional and Mainland Affairs**

Date **17 March 2010**

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB072**

Question Serial No.

1093

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 : In promoting the Basic Law and conducting publicity to enhance public awareness and understanding of the Basic Law, please state in detail:

- (a) the specific work undertaken by the Bureau in 2009-10, the number of activities organised and the expenditure involved;
- (b) the work planned for 2010-11 and the estimated expenditure.

Asked by : Hon. IP Kwok-him

Reply :

(a) In 2009-10, the Constitutional and Mainland Affairs Bureau set aside \$16 million for promoting the Basic Law and conducting publicity to enhance public awareness and understanding of the Basic Law. We organised and sponsored over 20 Basic Law promotional activities by adopting the following three promotional strategies:

- (i) first, we used the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the "One Country, Two Systems". Some \$6.8 million were provided for the production of TV drama, TV game show, radio quiz show and internet promotion;
- (ii) secondly, we enhanced public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals. About \$5.4 million were provided for the purpose; and
- (iii) thirdly, we strengthened co-operation with community organisations in organising promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks. We offered about \$3 million in sponsorship.

(b) In 2010-11, we have set aside \$16 million for organising various promotional activities. We will adopt “The 20th Anniversary of the Promulgation of the Basic Law” as the main theme, with focus on the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong’s implementation of “One Country, Two Systems”, “Hong Kong People ruling Hong Kong” and a high degree of autonomy principles. We will continue to make use of the three aforementioned promotional strategies in delivering the messages. We will keep track of the feedback and the level of participation of the general public to ensure that the important message of the Basic Law could be conveyed to the community.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>17 March 2010</u>

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB073**

Question Serial No.

1094

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  
Secretary for Commerce and Economic Development  
Secretary for Security

Question : In 2010-11, Guangdong ETO will establish a dedicated unit for liaison with Shenzhen to support the enhanced co-operation between Hong Kong and Guangdong. In this connection, please advise on:

- (a) the detailed plan for the setting up of the dedicated Shenzhen Liaison Unit;
- (b) the estimated establishment and the estimated annual operating expenses of the Unit.

Asked by : Hon. IP Kwok-him

Reply :

As announced in the 2009-10 Policy Address, a new Shenzhen Liaison Unit (the Unit) will be set up under the Hong Kong Economic and Trade Office in Guangdong to deal with the increasing heavy workload relating to closer Hong Kong-Guangdong and Hong Kong-Shenzhen cooperation.

2. The Unit will be headed by a Principal Trade Officer who is underpinned by a few locally engaged supporting staff. The annual operating cost of the Unit, including staff cost, is estimated to be \$2.9 million. The preparation for the establishment of the Unit is well underway. We envisage that the Unit will be in operation in the second quarter this year.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB074**

Question Serial No.

1095

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  
Secretary for Commerce and Economic Development  
Secretary for Security

Question : In 2010-11, the Mainland Offices will promote Hong Kong's professional services in the Mainland. In this connection, please advise on:

- (a) the key provinces / regions / municipalities targeted for the promotion of the professional services;
- (b) the key publicity and promotion plans;
- (c) the estimated costs involved.

Asked by : Hon. IP Kwok-him

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 proactively approaching Hong Kong investors/practitioners in the places concerned and following up issues of common concern through appropriate channels; assisting Hong Kong investors/practitioners in obtaining information on business operation in the Mainland, particularly those relating to new laws and policies; and assisting in arranging trade delegations to the Mainland, etc.

2. As an integral part of the above work, the Mainland Offices will incorporate the promotion of Hong Kong's professional services into the various activities to be launched by them in 2010-11, including seminars, exhibitions, workshops and speeches as appropriate. The Mainland Offices will also explore opportunities to conduct activities targeted at promoting professional services that match the interests of the concerned professional sectors and the needs and circumstances of the selected provinces, regions and municipalities. Planned activities include seminars and conferences on Hong Kong's modern services (including those covered under the Mainland and Hong Kong Closer Economic Partnership Arrangement), and trade missions to selected Mainland provinces/municipalities. The Mainland Offices will

maintain close contact with the relevant professional sectors in Hong Kong during the process.

3. We would also make use of Hong Kong's participation in the World Exposition 2010 Shanghai China to be held from 1 May to 31 October in Shanghai to promote Hong Kong, including our professional services. In particular, a couple of major forums would be held in July to promote our legal and financial services.

4. In 2010-11, a sum of \$101 million has been earmarked under Programme (3) for the Mainland Offices to undertake liaison, economic and trade, and investment promotion work. The Mainland Offices' work in promoting Hong Kong's professional services in the Mainland is an integral part of the roles and functions of their work. The expenditure involved cannot be singled out and will be absorbed within the above provision of \$101 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB075**

Question Serial No.

1096

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The 4 support service centres for ethnic minorities sponsored by the Bureau commenced operation progressively during May to September 2009. In this connection, please list out:

- (a) the detailed breakdown of expenditure incurred by the 4 centres in the preceding financial year (i.e. 2009-10);
- (b) the annual operating costs of each of the centres after they have come into normal operation; and
- (c) the estimated provisions earmarked to the 4 centres in this financial year (i.e. 2010-11).

Asked by : Hon. IP Kwok-him

Reply :

- (a) The estimated expenditure incurred by the four centres in 2009-10 is as follows –

<b>Centre</b>	<b>2009-10 Estimated Expenditure (\$)*</b>
Hong Kong Christian Service CHEER Centre	4.37 million
International Social Service HK Branch HOPE Centre	4.35 million
Yuen Long Town Hall Support Service Centre	4.16 million
Christian Action SHINE Centre	4.07 million
<b>Total</b>	<b>16.95 million</b>

\* Note: Including part of the one-off setting up cost and part year operating cost in 2009-10.

- (b) The annual operating costs of each of the centres in 2010-11 are as follows–

<b>Centre</b>	<b>Annual operating cost (\$)</b>
Hong Kong Christian Service CHEER Centre	6.85 million
International Social Service HK Branch HOPE Centre	3.25 million
Yuen Long Town Hall Support Service Centre	4.60 million
Christian Action SHINE Centre	4.57 million
<b>Total</b>	<b>19.27 million</b>

- (c) The provisions earmarked for the four centres in 2010-11 are set out in the table below. Apart from the remaining one-off cost (\$0.3 million) to be provided to the CHEER Centre for additional equipment, the provisions are the same as the annual operating costs.

<b>Centre</b>	<b>2010-11 Estimated Expenditure (\$)</b>
Hong Kong Christian Service CHEER Centre	7.15 million
International Social Service HK Branch HOPE Centre	3.25 million
Yuen Long Town Hall Support Service Centre	4.60 million
Christian Action SHINE Centre	4.57 million
<b>Total</b>	<b>19.57 million</b>

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB076**

Question Serial No.

1097

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 : Pursuant to the Report on Further Development of the Political Appointment System issued on October 2007 and the approval of the Finance Committee of the Legislative Council in December 2007, 24 new political appointment positions have been created with effect from 1 April 2008. So far, only 10 Deputy Directors of Bureau and 9 Political Assistants have been appointed. Are there any arrangements for appointing political appointees to fill the remaining positions of Deputy Directors of Bureau and Political Assistants in 2010-11? What are the detailed arrangements?

Asked by : Hon. IP Kwok-him

Reply :

At present, the Government has filled 9 positions of Deputy Directors of Bureau ("Under Secretaries") and 9 positions of Political Assistants.

2. Regarding the filling of the outstanding positions of Under Secretaries and Political Assistants in the Government, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB077**

Question Serial No.

2251

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 : What is the specific plan for the promotion of the Basic Law and conduct of publicity in 2010-11? What is the estimated expenditure for such publicity activities?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2010-11, we have set aside \$16 million for organising various promotional activities to enhance public awareness and understanding of the Basic Law. We will adopt "The 20th Anniversary of the Promulgation of the Basic Law" as the main theme, with focus on the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong's implementation of "One Country, Two Systems", "Hong Kong People ruling Hong Kong" and high degree of autonomy principles. We will continue to adopt the following three promotional strategies:

- (a) first, we will use the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the "One Country, Two Systems". TV drama, game show and radio quiz show will be produced;
- (b) secondly, we will enhance public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals; and

- (c) thirdly, we will strengthen co-operation with community organisations in organising promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB078**

Question Serial No.

2252

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 : What is the specific plan for 2010-11 for co-ordinating HKSAR's inputs to complement the preparation of the National 12<sup>th</sup> Five-Year Plan? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of "One Country, Two Systems".

2. In 2010-11, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to co-ordinate the HKSAR's efforts in liaising with the Mainland authorities, including maintaining the Administration's working relationship with the National Development and Reform Commission, and co-ordinating efforts of bureaux and departments in liaising with their Mainland counterparts. In 2010-11, the CMAB has earmarked about \$240,000 for the above purpose. This amount covers the direct expenditure to be incurred in respect of meetings and similar events. In any event, the Bureau as a whole and the HKSAR Beijing Office will have sufficient staff and other resources which will be involved in promoting the complementary work of the HKSAR Government in relation to the preparation of the Plan.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for

Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB079**

Question Serial No.

2253

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 : In respect of efforts in strengthening co-operation with Guangdong Province and taking forward co-operation initiatives agreed at the Joint Conference for 2010-11, what is the specific plan for promoting the development of Qianhai? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

At the meeting of the Hong Kong/Guangdong Co-operation Joint Conference in August 2009, the Hong Kong Special Administrative Region Government (HKSARG) and the Shenzhen Municipal Government signed the "Letter of Intent in Taking Forward Co-operation on Modern Service Industries between Hong Kong and Shenzhen in Qianhai" (Letter of Intent).

2. According to the Letter of Intent, the two sides agreed to jointly promote issues relating to the co-operation on modern service industries in Qianhai under the principle of "One Country, Two Systems" and explore opportunities for co-operation in the following areas:

- (a) to study relevant policies and measures to facilitate the development of modern service industries in the region;
- (b) to improve the industrial structure and expedite the building of modern industrial system of Shenzhen, the Pearl River Delta region and Guangdong Province by leveraging on Hong Kong's advantages as an international financial, trading and shipping centre, as well as through the co-operation between Hong Kong and Shenzhen in developing modern service industries in Qianhai;
- (c) to support the development of Hong Kong's service industries in the region and jointly explore markets for modern service industries under the

principle of enhancing complementarities and mutual benefits, and on the existing basis of the Closer Economic Partnership Arrangement.

3. The HKSARG and the Shenzhen Municipal Government have established an expert group to follow up closely on the specific co-operation direction and content. The current consensus is for the Shenzhen Municipal Government to take up the leading role, and be responsible for the development and management of the Qianhai area, while the HKSARG will provide comments on the study and formulation of issues like development planning and policies.

4. To facilitate the discussion of Qianhai development, both sides agreed to collect widely the views of experts of the concerned fields on various related issues, such as the mode of development, industry development, new policies, infrastructural development and operational management.

5. Through the participation in the development of modern service industries in Qianhai, our overall objective is to leverage on Hong Kong's advantages as an international financial, trading and shipping centre to develop the Mainland market for Hong Kong's service industries, so as to tap into the Greater Pearl River Delta market which has a population of 50 million, and then to gain access to the individual markets in the Pan-PRD region provinces, which has a population of more than 400 million.

6. In 2010-11, the Constitutional and Mainland Affairs Bureau has earmarked about \$1.4 million for the promotion of co-operation between Hong Kong and Guangdong. The resources involved in promoting the development of Qianhai are included in the overall provisions.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB080**

Question Serial No.

2254

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 : What is the specific plan for co-ordinating and enhancing exchanges and co-operation with Taiwan in 2010-11? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

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 2009-10, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported various exchange activities between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of "One Country, Two Systems" principle.

2. In 2010-11, we will continue to enhance exchanges and cooperation with Taiwan. Our major work will include –

- (a) setting up the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) as a new platform to enhance cooperation in various policy areas with the Taiwan-Hong Kong Economic and Cultural Co-operation Council;
- (b) fostering exchanges with cities and counties of Taiwan through organising activities such as "Hong Kong-Taiwan Inter-City Forum";
- (c) sponsoring non-governmental organisations to organise fora, seminars and related activities which promote Hong Kong-Taiwan exchanges;
- (d) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of "One Country, Two Systems" principle;

- (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (g) 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” principle.

3. We have reserved \$4 million for promoting exchanges with Taiwan. In addition, we have reserved sufficient provisions for the activities of ECCPC and other related work.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB081**

Question Serial No.

2255

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 : What is the estimated expenditure earmarked for handling matters relating to the World Exposition 2010 Shanghai China in 2010-11? What are the specific expenditure items?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2010-11, the estimated expenditure for handling matters relating to participation in the Shanghai Expo is \$166.52 million. This comprises an expenditure of \$3.73 million mainly for the personal emoluments and related operational expenses for the Expo Coordinating Team, which is responsible for coordinating the planning and implementation of activities relating to HKSAR's participation in the Expo. The remaining \$162.79 million is estimated expenditure for operating the Hong Kong Pavilion and the Urban Best Practices Area (UBPA) Exhibition, for organising a wide range of cultural performances and promotion activities, as well as for developing the Online Hong Kong Pavilion and Online UBPA Exhibition.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

**JOSHUA LAW**

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB082**

Question Serial No.

2256

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 : What are the respective provisions for the 4 Mainland offices, namely the Beijing Office and the Economic and Trade Offices in Guangdong, Shanghai and Chengdu in 2010-11?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2010-11, the allocation for the Mainland Offices under Programme (3) is \$122.0 million. We have earmarked \$48.0 million for the Beijing Office, \$36.3 million for the Guangdong Economic and Trade Office (ETO), \$22.6 million for the Shanghai ETO and \$15.1 million for the Chengdu ETO.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB083**

Question Serial No.

2257

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 : What are the specific changes in terms of expenditure and staff deployment in the Mainland Offices as related to HKSAR's participation in the 2010 Shanghai Expo?

Asked by : Hon. TAM Yiu-chung

Reply :

The World Exposition 2010 Shanghai China will be held in May to October 2010. The HKSAR's participation in the event covers a wide range of large-scale activities, including the construction and operation of a stand-alone Hong Kong Pavilion, mounting and running of a dedicated exhibition in the Urban Best Practices Area Exhibition (UBPA), organisation and presentation of a series of cultural performances and promotional activities, as well as the development of online versions of the Hong Kong Pavilion and UBPA Hong Kong Exhibition as part of "Online Expo". A dedicated team, led by an Administrative Officer Staff Grade C, has been established within the Constitutional and Mainland Affairs Bureau to take forward the project. The Economic and Trade Office in Shanghai has been providing support in the coordination of planning and implementation of HKSAR's participation in the event. It will continue to do so within its existing staffing provision and resources.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB084**

Question Serial No.

2258

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  
Secretary for Commerce and Economic Development

Question : What are the specific plans of the Mainland Offices in enhancing the investment promotion function in the Mainland in 2010-11? What is the estimated provision?

Asked by : Hon. TAM Yiu-chung

Reply :

A major role of the Mainland Offices is to promote Hong Kong's many advantages as a trade, investment and business hub in the region, and to attract Mainland enterprises to invest in Hong Kong. The Investment Promotion Divisions of the Mainland Offices will identify potential Mainland companies in the areas that they cover; proactively approach and visit the companies identified to encourage them to invest in Hong Kong; help identify and match Mainland potential investors with business partners in Hong Kong to attract inward investment in Hong Kong; and provide free, one-stop information and consultation services for both Hong Kong investors who have an interest in investing in the Mainland as well as Mainland enterprises who are looking for investment opportunities in Hong Kong.

2. As commercial relations and investment promotion activities all aim to project and market Hong Kong's strengths, they complement each other. General promotion work conducted by the Investment Promotion Divisions also supports the Mainland Offices' work on liaison and economic and trade affairs.

3. In 2010-11, we would also make use of Hong Kong's participation in the World Exposition 2010 Shanghai China, which will be held from 1 May to 31 October 2010 in Shanghai, to promote Hong Kong including its excellent investment environment.

4. In 2010-11, a sum of \$101 million has been earmarked under Programme (3) for the Mainland Offices to undertake liaison, economic and trade, and investment promotion work. The Mainland Offices' investment promotion work is an integral part of the roles and functions of their work. The expenditure involved cannot be singled out and will be absorbed within the above provision of \$101 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB085**

Question Serial No.

2259

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 : What is the Equal Opportunities Commission's specific plan for 2010-11 for following up on the recommendations of the formal investigation on accessibility for persons with disabilities? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The Formal Investigation on Accessibility examines the means of access to or use of property owned, built or managed by the Hong Kong Housing Authority, Hong Kong Housing Society, the Link Management Ltd. and the Government. Following inspection of sites identified for the accessibility audit, the Equal Opportunities Commission (EOC) sent individual site inspection reports to relevant managers of premises for information, response and rectification in September 2008. All responses were received in mid-2009. Some managers of premises had taken improvement measures, while others agreed to look into their feasibility. These responses, together with comments of other stakeholders and interested parties, will be collated by the EOC in the final investigation report to be released in May 2010.

2. In 2010-11, the EOC will follow up on the progress of improvement for relevant premises and work out time tables for improvement on outstanding items. The follow-up actions will be absorbed by EOC's operation expenses and no separate breakdown is available.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_ 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB086**

Question Serial No.

2260

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 : What is the specific plan for convening major promotional events by the Office of the Privacy Commissioner for Personal Data in 2010-11? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The major promotional events to be carried out by the Office of the Privacy Commissioner for Personal Data (PCPD) in 2010-11 include the following:

- (a) two Announcements in the Public Interest, one targeted at data subjects and one targeted at data users featuring the application of the provisions of the Personal Data (Privacy) Ordinance will be broadcast on television and other means;
- (b) 10 episodes of Infomercial will be broadcast on television to illustrate the different aspects of personal data privacy protection;
- (c) an industry-wide privacy campaign for a targeted industry will be launched in 2010-11;
- (d) the Privacy Awareness Week entailing the release of survey results on the attitude of personal data privacy among senior citizens, online self-assessment tool, seminars on protection of personal data for senior citizens and identity theft will be launched;
- (e) activities for the Data Protection Officers' Club including plenary meeting, introductory seminars, Data Protection Workshops and familiarization visit will be held;
- (f) participation in the Education & Careers Expo 2011; and
- (g) publicity and educational materials such as Trainer's Kit and banners will be produced.

2. The estimated expenditure for the above major promotional events and other routine promotion and publicity work is about \$2.43 million.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB087**

Question Serial No.

2261

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 : What is the specific plan for strengthening the manpower of the Office of the Privacy Commissioner for Personal Data in 2010-11? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The Government is firmly committed to the protection of personal data privacy and will strive to provide resources at an appropriate level to support the Office of the Privacy Commissioner for Personal Data (PCPD) for effective enforcement of the Personal Data (Privacy) Ordinance. In 2010-11, an additional provision of \$4.57 million will be provided to the PCPD to step up its enforcement and promotion work. Details of the additional provision are as follows:

- (a) \$3.05 million for strengthening the enforcement team of the PCPD through the creation of three posts to cope with the increase in the number of complaint cases;
- (b) \$0.82 million to create one post to provide the necessary legal support; and
- (c) \$0.7 million to create one post to strengthen the PCPD's promotion and education work on personal data privacy.

2. With the additional provision of \$4.57 million mentioned above and after making the relevant adjustments (i.e. the one-off provision to the PCPD in 2009-10 for enhancing promotion work, the adjustment in subvention subsequent to the civil service

pay adjustment in 2009 and the claw-back amount in 2009-10 for exceeding the reserve ceiling), the net increase in the subvention to the PCPD in 2010-11, compared with the 2009-10 revised estimate, is \$3.5 million.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB088**

Question Serial No.

2393

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (1) Director of Bureau's Office  
(2) Constitutional and Mainland Affairs  
(3) Mainland Offices  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding consultation exercises conducted for the purposes of formulating and assessing policies under all programmes, please provide the relevant information in the following format :

For consultation exercises funded in 2009-10, please provide information in the following format :

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?

Asked by : Hon. EU Yuet-mee, Audrey

Reply:

Regarding the consultation exercises conducted by the Constitutional and Mainland Affairs Bureau in 2009-10 for the purposes of formulating and assessing policies, the relevant information is provided below :

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
Public Consultation on Prisoners' Voting Right	About \$0.08 million	Completed.	<ul style="list-style-type: none"> <li>- Document issued for public consultation (110 submissions received).</li> <li>- Two public consultation forums.</li> <li>- Meetings with interested organisations.</li> <li>- Legislative Council (LegCo) Panel on Constitutional Affairs was consulted.</li> </ul> <p>Given the various sources of consultation, it is difficult to estimate the number of people consulted.</p>	The Voting by Imprisoned Persons Ordinance and subsidiary legislation relating to voting by imprisoned persons were enacted to enable prisoners to register as electors and persons in custody to vote in public elections.	<p>The Report on Public Consultation on Prisoners' Voting Right was published on 9 April 2009.</p> <p>The Administration also briefed the LegCo Panel on Constitutional Affairs on 20 April 2009 on the results of the public consultation on prisoners' voting right and our legislative proposals.</p>
Review of the	About	Completed.	- Document	We are analysing	All views

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
Personal Data (Privacy) Ordinance	\$1 million		<p>issued for public consultation (162 submissions received).</p> <ul style="list-style-type: none"> <li>- Four public/ District Council consultation forums.</li> <li>- Various discussion forums organised by various sectors.</li> <li>- LegCo Panel on Constitutional Affairs was consulted.</li> </ul> <p>Given the various sources of consultation, it is difficult to estimate the number of people consulted.</p>	<p>and consolidating the views received during the public consultation period.</p> <p>We will arrange for further public discussions on possible legislative amendments in 2010.</p>	<p>received during the consultation period (except those the authors of which have requested confidentiality) will be published for public reference.</p>
Outline of	Absorbed	Completed.	- Document	Comments have	The Report will

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
topics of the Second report of the HKSAR under the Convention on the Rights of the Child	by existing resources		<p>issued for public consultation (24 submissions received).</p> <p>- LegCo Panel on Constitutional Affairs, Human Rights Forum and Children Rights Forum were also consulted.</p> <p>Given the various sources of consultation, it is difficult to estimate the number of people consulted.</p>	been considered during compilation of the HKSAR Report.	be published after submission to the United Nations (UN) and publication by the UN.
Outline of	Absorbed	Completed.	- Document	Comments have	The Report will

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
topics of the Third report of the HKSAR under the International Covenant on Economic, Social and Cultural Rights	by existing resources		<p>issued for public consultation (16 submissions received).</p> <p>- LegCo Panel on Constitutional Affairs, Human Rights Forum, Children Rights Forum, Committee on Promotion of Racial Harmony and Ethnic Minorities Forum were also consulted.</p> <p>Given the various sources of consultation, it is difficult to estimate the number of people consulted.</p>	been considered during compilation of the HKSAR Report.	be published after submission to the UN and publication by the UN.
Public	About \$4.4	Completed.	- Document	We are	All views

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
Consultation on the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012	million		<p>issued for public consultation.</p> <ul style="list-style-type: none"> <li>- Extensive meetings with the LegCo and 18 District Councils so that the councillors concerned can put their views directly to the Government.</li> <li>- The Chief Secretary for Administration and Secretary for Constitutional and Mainland Affairs met with various political parties and political groups.</li> <li>- Together with other Principal Officials, we attended over 60 forums, seminars and discussion groups.</li> <li>- The Government also organised two open forums and four</li> </ul>	<p>consolidating and analysing the views received during the public consultation period, before formulating our proposed package for the 2012 elections.</p> <p>Our aim is to complete the process of amending Annexes I and II to the Basic Law before the summer recess of the LegCo in 2010.</p>	<p>received during the consultation period (except those the authors of which have requested confidentiality) will be published for public reference.</p>

Name and content of consultation exercise	Revised estimate (\$)	Progress of consultation (under planning / in progress / completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	The follow-ups taken by the Administration on the findings of consultation and their progress (if any)	If completed, have the findings been released to the public? If yes, through which channels? If no, what are the reasons?
			<p>regional forums to enable members of the community and district personalities to put their views to us directly.</p> <p>Different political parties, organisations and members of the public have been very active in expressing their views. We have received more than 40,000 written submissions and 1.6 million signatures.</p>		

All the above consultation exercises are under Programme (2) Constitutional and Mainland Affairs and Programme (4) Rights of the Individual.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB089**

Question Serial No.

2394

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (1) Director of Bureau's Office  
(2) Constitutional and Mainland Affairs  
(3) Mainland Offices  
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding consultation exercises conducted for the purposes of formulating and assessing policies under all programmes, please provide the relevant information in the following format :

Have funds been reserved for conducting consultation exercises in 2010-11?  
If yes, please provide the following information :

Name and content of consultation exercise	Expenditure (\$)	Progress of consultation (under planning / in progress/ completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	Will the findings be released if the consultation exercises are expected to be completed in 2010-11? If no, what are the reasons?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

Regarding the consultation exercises to be conducted by the Constitutional and Mainland Affairs Bureau in 2010-11 for the purposes of formulating and assessing policies, the relevant information is provided below :

Name and content of consultation exercise	Expenditure (\$)	Progress of consultation (under planning / in progress/ completed)	Mode of consultation (such as consultation document, consultation forum, focused group), the number of consultation exercises conducted, the parties consulted and the number of people consulted	Will the findings be released if the consultation exercises are expected to be completed in 2010-11? If no, what are the reasons?
Review of the Personal Data (Privacy) Ordinance - to consult the public on possible legislative amendments	About \$0.33 million	Under planning.	Under planning.	The findings will be released when the legislative amendments are drafted.
Outline of topics of the Third report of the HKSAR under the International Covenant on Civil and Political Rights	Absorbed by existing resources	Under planning.	<ul style="list-style-type: none"> <li>- Document will be issued for public consultation.</li> <li>- Legislative Council Panel on Constitutional Affairs, Human Rights Forum, Children Rights Forum, Committee on Promotion of Racial Harmony and Ethnic Minorities Forum will be consulted.</li> </ul>	The Report will be published after submission to the United Nations (UN) and publication by the UN.

All the above consultation exercises are under Programme (4) Rights of the Individual.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB090**

Question Serial No.

2559

Head : 144 GS: Constitutional and  
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With the Race Discrimination Ordinance came into full operation in July 2009, has the Administration collected relevant data such as:

- (a) the number of ethnic minorities in various public housing estates by ethnicity; and
- (b) the number of ethnic minorities in various districts by ethnicity?

If yes, please state the progress of data collection and the channels through which the data collected are released. If no, will resources be earmarked for such purpose for the coming year? What are the detailed arrangements?

Asked by : Hon. CHEUNG Kwok-che

Reply :

The Census and Statistics Department (C&SD) conducts a population census once every ten years and a by-census in the middle of the intercensal period to collect data on demographic, socio-economic and housing characteristics of the population in Hong Kong. According to the result of the 2006 Population By-census, the estimated number of ethnic minorities in 2006 was 342 198. The distribution of ethnic minorities by district in 2006 is set out in **Annex**. The result of the By-census, including detailed breakdown of the figures by ethnicity, has been published in the report of the By-census and is available on the webpage of C&SD. On the other hand, further breakdown of ethnic minorities by public housing estate is not readily available from the results of the 2006 By-census.

2. C&SD will carry out a new round of population census in 2011 and data on ethnic minorities will continue to be collected.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

<b>District Council District</b>	<b>Estimated number of ethnic minorities <sup>(1)</sup> in 2006</b>
Central & Western	35 983
Wan Chai	24 917
Eastern	33 937
Southern	25 606
Sham Shui Po	13 039
Kowloon City	27 917
Wong Tai Sin	8 535
Kwun Tong	15 337
Yau Tsim Mong	27 507
Kwai Tsing	12 074
Tsuen Wan	12 198
Tuen Mun	11 801
Yuen Long	19 313
North	6 386
Tai Po	10 287
Sha Tin	21 392
Sai Kung	19 662
Islands <sup>(2)</sup>	16 307
<b>Total</b>	<b>342 198</b>

(1) In the 2006 By-census, ethnic minorities are defined as persons of non-Chinese ethnicity and the classification of ethnicity is determined in accordance with the relevant data provided by the respondents.

(2) The figure include all persons living on board vessels.

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB091**

Question Serial No.

2593

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 : In the new financial year (i.e. 2010-11), while a decision for the retention or otherwise of the Functional Constituencies (FCs) is yet to be made, has the Government allocated fund and manpower to study issues such as 'refining' the mode of election for FCs, broadening the electoral base of FCs, and whether FCs should be added, deleted, reduced or redefined according to the needs of the community? If yes, how much has been allocated and how much manpower will be needed? If no, will the Government consider conducting such a study as soon as possible?

Asked by : Hon. TSE Wai-chun, Paul

Reply :

The aim of the current-term Government is to take forward the constitutional development in 2012, so as to pave the way for implementing universal suffrage for the Chief Executive (CE) and Legislative Council (LegCo) in 2017 and 2020 respectively. In this regard, we published a consultation document in November 2009 to consult the public on the electoral arrangements for 2012.

2. For the LegCo election in 2012, in order to broaden the electorate base of the functional constituencies, we have proposed that consideration may be given to allocating the five new functional constituency seats to District Councils and having the seats to be elected from among elected District Council members. Elected District Council members are returned by more than 3.3 million voters through one-person-one-vote. They have a broader electorate base, which will be able to enhance the democratic elements and representativeness of LegCo. We have also proposed that no "traditional" functional constituencies should be created. Together with the five new geographical constituency seats, close to 60% of the seats in the LegCo will be returned by geographical constituencies through direct or indirect elections in 2012.

3. The public consultation period ended on 19 February 2010. Different political parties, organizations and individuals have put to us more than 40000 submissions and 1.6 million signatures. We are summarizing and concluding the views received before formulating the Government's proposed package. Our aim is to complete the process of amending Annexes I and II to the Basic Law before the summer recess of the LegCo in 2010.

4. In 2010-11, one directorate officer at D2 level and one Senior Administrative Officer will be responsible for handling tasks relating to the formulation of the Government's proposed package for the 2012 elections and handling the relevant local legislation. These posts are part of our current establishment and the officers will undertake the relevant tasks in addition to other duties. Furthermore, two posts comprising one Senior Executive Officer and one Personal Secretary II post will be created for 12 months and four posts comprising one Administrative Officer, one Executive Officer I and two Assistant Clerical Officers will be created for 6 months to assist in handling the relevant tasks. For budget planning purpose, we have set aside about \$6.7 million in 2010-11 for handling matters related to the determination of the 2012 electoral arrangements.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB092**

Question Serial No.

2605

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 : The Government is planning to set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council to enhance co-operation and exchanges with Taiwan. Are arrangements for regular official visits between the two places covered in the plan? If yes, what are the estimated expenditure and staffing establishment for 2010-11?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres. Activities such as meetings, seminars and visits by officials in an appropriate capacity will be arranged to foster mutual exchanges.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an appropriate capacity. CMAB will provide Secretariat support to the ECCPC. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB093**

Question Serial No.

2619

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 : In matters requiring special attention in 2010-11, the Privacy Commissioner will follow up the recommendations of the Director of Audit's Report No. 53 and the respective Public Accounts Committee report. In this connection, please provide the plans and targets of the Office of the Privacy Commissioner for Personal Data to be attained for such work for 2010-11.

Asked by : Hon. SHEK Lai-him, Abraham

Reply :

The Government and the Office of the Privacy Commissioner for Personal Data (PCPD) accepted the recommendations of the Director of Audit's Report No. 53 and the respective Public Accounts Committee (PAC) report. Following the publication of these reports, the Government has been working with the PCPD on a number of improvement measures and follow-up actions.

2. On corporate governance, a strategic planning group comprising heads of divisions of the PCPD was formed in January 2010 to drive the strategic planning process. A 5-year strategic plan and the 2010 business plan have been compiled by the PCPD and discussed by the Personal Data (Privacy) Advisory Committee (PDPAC). The PCPD will seek advice from the PDPAC on strategic planning which will form part of the agenda for discussion at PDPAC meetings.

3. In addition, the Government and the PCPD are working out arrangements to better monitor PCPD's performance and enhance compliance and internal control matters of the PCPD. This will be completed in 2010-11.

4. On complaint management, the PCPD will conduct a post-implementation review on streamlined planning procedures for complaint cases. The risk assessment of non-compliance with the 45-day requirement of serving the refusal notice under section 39(3) of the Personal Data Privacy Ordinance (PDPO) is now made a standing agenda

item of PDPAC meetings and Progress Review Meetings between the Constitutional and Mainland Affairs Bureau (CMAB) and the PCPD.

5. The CMAB has earmarked an additional provision (amounted to \$4.57 million) to the PCPD in 2010-2011 to create five posts to strengthen the enforcement team of the PCPD, to provide the necessary legal support and to enhance public education and promotion work. The CMAB has also raised the reserve ceiling of the PCPD from \$5 million to 20% of its annual recurrent subvention (about \$9 million). This will allow the PCPD greater financial flexibility in meeting its operational needs.

6. In response to the recommendations of PAC and Audit, the CMAB, in consultation with the PCPD, has included new indicators to measure the outcome and productivity of PCPD in the 2010-11 Controlling Officer's Report.

7. The PCPD is also following up on other recommendations on promotional activities, overseas duty trips, hospitality expenditure and other administrative issues. We will report details of progress in the Government Minute to be submitted to the Legislative Council in May 2010.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>17 March 2010</u>

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB094**

Question Serial No.

2642

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 : In respect of the Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 published by the Administration, what is the overall resources put into the publicity of the Document in 2009-10? Please advise on the respective resources spent on various publicity channels (such as television or radio advertisements, publicity in the form of text etc). What is the estimated overall resources for publicising the consultation report? Please advise on the respective resources to be spent on various publicity channels (such as television and radio advertisements, publicity in the form of text etc).

Asked by : Hon. NG Margaret

Reply :

The Government issued on 18 November 2009 the Consultation Document on the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 for a three-month consultation period. The consultation period ended on 19 February 2010.

2. The publicity cost in 2009-10 for this exercise is estimated to be about \$1.6 million. A breakdown is as follows :

	(\$ million)
(a) TV and Radio Announcements in the Public Interest	1.0
(b) Posters and leaflets	0.1
(c) Newspaper advertisements and other print advertisements	<u>0.5</u>
Total :	<u>1.6</u>

3. The Government is examining the views received, and will formulate our proposed package for the 2012 elections. We have not yet finalised the publicity plans relating to the release of the proposed package. For budget planning purpose, we have set aside approximately \$4 million in 2010-11 for the relevant publicity exercise.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB095**

Question Serial No.

2643

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 : (a) Please advise on the resources spent on promoting the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO), the Family Status Discrimination Ordinance (FSDO) and the Racial Discrimination Ordinance (RDO) in 2009 respectively.
- (b) Please advise on the estimated resources to be spent on promoting SDO, DDO, FSDO and RDO in 2010 respectively.
- (c) Please advise on the specific work plan for promoting RDO.

Asked by : Hon. NG Margaret

Reply :

(a) In 2009-10, the resources spent by the Equal Opportunities Commission (EOC) on promoting the 4 anti-discrimination ordinances, including staff costs, are \$19.4 million. Of this amount, around \$2.7 million was a one-off amount specifically spent on programmes for the promotion of the Race Discrimination Ordinance (RDO) following its full implementation in July 2009. Other expenditures were generally spent on programmes for the promotion of the 4 anti-discrimination ordinances and equal opportunities in general, and could not be specifically attributed to a particular ordinance.

(b) In 2010-11, the provision for promoting the 4 anti-discrimination ordinances, including staff costs, is around \$17.9 million (which represents a slight increase over the corresponding amount in 2009-10, after discounting the one-off expenditure of \$2.7 million mentioned in (a) above). The provision will be spent on programmes for the promotion of the four anti-discrimination ordinances and equal opportunities together, and could not be specifically attributed to a particular ordinance.

(c) To promote the implementation of the RDO, the EOC is conducting a series of promotional programmes to increase public understanding of the Ordinance as well as equal opportunities in general. The major programmes targeting different stakeholders, including employers and employees, ethnic minority groups, students and the general public, include:

- Radio programmes
- “Code of Practice on Employment under the RDO” and other publications on the RDO
- A Guide for foreign domestic helpers and their employers
- Stakeholders outreach plan for ethnic minorities
- Career Challenge Youth Mentorship Programme for students
- Talks on the RDO and other anti-discrimination ordinances
- YouTube Video Competition
- Outdoor Advertisement Campaign
- TV and Radio Announcements in the Public Interest
- Newspaper Advertisements on Local and Ethnic Minority Newspapers
- Community Participation Funding Programme
- Wallet Card for Ethnic Minorities
- Drama Performances

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB096**

Question Serial No.

2801

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 : The Constitutional and Mainland Affairs Bureau's main responsibilities under Programme (2) include advising bureaux and departments on matters relating to the implementation of the Basic Law and facilitating the promotion of public awareness and understanding of the Basic Law. Still, there are individual political parties taking advantage of the legal loophole to promote the so-called "referendum" by way of resignation of Legislative Council members. The Hong Kong and Macao Affairs Office has already pointed out clearly that such act is a contravention of the Basic Law. As such, will the Administration take any measures to prohibit these activities which breached the Basic Law and educate the public to be aware of the misleading element in such a "referendum"?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The Government of the Hong Kong Special Administrative Region ("HKSAR Government") emphasises that the Basic Law does not provide for any referendum mechanism. Conducting any form of so-called 'referendum' in Hong Kong will have no legal basis or effect under the Basic Law and the legislation of Hong Kong, and will not be recognised by the Government.

2. We note that there are views in the community which do not endorse the resignation of several Legislative Council Members ("Members") in order to initiate the so-called "referendum campaign" via the by-election. There are views that the local legislation should be amended to avoid the recurrence of similar situations. The HKSAR Government has just completed the public consultation exercise on the two electoral methods for 2012 and is carefully examining views received during the consultation exercise. There are views that restrictions should be imposed on Members who resign from their office and then stand for the by-elections. We would analyse these proposals carefully when considering amendments to the relevant local legislation.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB097**

Question Serial No.

2802

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 : Please advise on the progress made on co-ordinating HKSAR's inputs to complement the preparation of the National 12<sup>th</sup> Five-Year Plan. Will the initial draft be submitted to the Legislative Council for discussion? What will be the earliest date for presenting the draft plan to the relevant ministries of the Central Government?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of "One Country, Two Systems".

2. In 2009-10, the Constitutional and Mainland Affairs Bureau (CMAB) has been co-ordinating the HKSAR's inputs to complement the preparation of the Plan and maintaining the Administration's working relationship with the National Development and Reform Commission (NDRC). Major efforts included the following:

- (a) in May 2009, the Secretary for Constitutional and Mainland Affairs (SCMA) led a delegation of the HKSAR Government to meet with officials of the NDRC in Beijing to discuss our work in complementing the Plan;
- (b) following the conference on "Global and China's Economy and Hong Kong's Future Development" organised by the Central Policy Unit in Hong Kong, SCMA chaired a seminar in Hong Kong in September 2009 for representatives of the NDRC and the Hong Kong and Macao Affairs Office and officials of the relevant bureaux and departments of the

HKSAR Government to discuss our complementary work relating to the Plan; and

- (c) in January 2010, SCMA led another delegation of the HKSAR Government to meet with officials of the NDRC to further discuss our complementary work.

3. In providing inputs to complement the preparation of the Plan, the Administration has been and will continue to take into account the views of the community and the Legislative Council. In particular, specific reference has been made to the motion passed by the Legislative Council in January 2010 on the active participation of the HKSAR in the preparation of the Plan. The Administration will continue to complement the preparation of the Plan by paying high regards to the views of the public and the Legislative Council, as well as maintaining close liaison with the Mainland authorities.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>17 March 2010</u>

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

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  
Secretary for Commerce and Economic Development  
Secretary for Security

- Question : (a) Please provide the number of detention cases of Hong Kong residents in the Mainland from 2008 to 2009 and a breakdown by categories on cases where the office successfully helped the assistance seekers to return to Hong Kong.
- (b) Will the HKSARG's Offices in the Mainland provide any form of assistance to Hong Kong journalists when they cover news in the Mainland? How will these Mainland offices follow up and render assistance if a journalist is interfered or arrested in the course of a news-covering activity?
- (c) Please provide the numbers of Hong Kong and Mainland staff recruited by each of the HKSARG's Offices in the Mainland. What are their scope of duties?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

(a) The Immigration Divisions of the Beijing Office (BJO) and Guangdong Economic and Trade Office (GDETO) provide assistance to Hong Kong residents detained in the Mainland within their respective coverage area. A breakdown of the detention cases handled by the Immigration Divisions of BJO and GDETO in 2008 and 2009 is set out below :

Reasons for Detention	2008		2009	
	CR*	NR*	CR*	NR*
Fraud	11	2	12	1
Smuggling	9	1	4	1

	2008		2009	
Smuggling/manufacturing of narcotic drugs	5	1	3	0
Corruption	4	0	0	0
Murder with intent	2	0	0	0
Common assault	3	2	2	0
Official tort	2	1	0	0
Espionage	1	0	0	0
Illegal operation	1	0	0	0
Commercial dispute	4	3	8	6
Bigamy	0	0	2	2
Others	4	2	4	1
<b>Total</b>	<b>46</b>	<b>12</b>	<b>35</b>	<b>11</b>

**\*Note:**     **CR:**No. of assistance cases received  
                  **NR:**No. of assistance seekers returned to Hong Kong

(b) Under the “One Country, Two Systems” principle, Hong Kong journalists should conduct their reporting activities in the Mainland in accordance with the relevant Mainland laws and regulations.

The HKSAR Government attaches great importance to the rights of Hong Kong journalists in conducting legal reporting activities in the Mainland. The Mainland Offices may upon request offer assistance in the following areas –

- (i) providing information on the relevant Mainland laws, regulations and procedures;
- (ii) liaising with the relevant Mainland authorities;
- (iii) conveying complaints to the relevant Mainland authorities; and
- (iv) in case Hong Kong journalists are involved in any incidents relating to personal safety, such as accidents, custody or detention, the Immigration Divisions under the Beijing Office and Guangdong ETO may offer practical assistance to them having regard to the actual circumstances of the individual case. Assistance regarding custody and detention cases includes the provision of information on relevant Mainland laws, regulations and procedures; advice on their right to appoint legal representatives; providing contact details of local law societies; and reflecting their views and requests to the relevant Mainland authorities.

(c) The organisation of the BJO and the other ETOs in Guangdong, Shanghai and Chengdu comprises mainly a number of divisions which are responsible for matters under their purview, including commercial relations, public relations, investment promotion, information, and administration. The BJO and GDETO also have an Immigration Division while Chengdu ETO has a Sichuan Reconstruction Division. Each division is made up of both Hong Kong and locally engaged staff and depending

on the workload, the number of staff in each division across the Mainland Offices varies.

The establishment of the BJO for 2010-11 will comprise 3 directorate officers (i.e. 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 13 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Information Officer, 1 Executive Officer I and 1 Senior Personal Secretary). The office will be supported by 27 locally-engaged staff.

The establishment of the Guangdong ETO for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 12 non-directorate officers (i.e. 1 Senior Administrative Officer, 3 Principal Trade Officers, 3 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers and 1 Principal Information Officer). The office will be supported by 22 locally-engaged staff.

The establishment of the Shanghai ETO for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 5 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers and 1 Senior Information Officer). The office will be supported by 10 locally-engaged staff.

The establishment of the Chengdu ETO for 2010-11 will comprise 1 directorate officer (Administrative Officer Staff Grade C) and 4 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Trade Officers, and 1 Senior Information Officer). The office will be supported by 14 locally-engaged staff.

The locally-engaged staff are responsible for providing support to various aspects of office operation including office administration, commercial relations, investment promotion, liaison and public relations, and immigration related matters, etc.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB099**

Question Serial No.

2812

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 : For self-initiated investigations conducted by the Equal Opportunities Commission, some cases remained unresolved in 2008 and 2009. What are the reasons?

Asked by : Hon. NG Margaret

Reply :

The Equal Opportunities Commission initiates investigations into situations of potential discrimination throughout the year. As investigation takes time, it is not unusual that some cases which started in the latter part of a year are resolved in the following year.

2. The number of cases initiated, processed, resolved and carried forward to the following year in 2008 and 2009 are set out below. Cases not resolved in a year are carried forward and continued to be processed in the following year.

	<b>2008</b>	<b>2009</b>
Cases initiated	50	61
Cases processed	63	69
Cases resolved	55	64
Cases carried forward to the following year	8	5

Signature \_\_\_\_\_  
Name in block letters **JOSHUA LAW**  
Post Title Permanent Secretary for  
Date Constitutional and Mainland Affairs  
17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB100**

Question Serial No.

2813

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of the 4 support service centres for ethnic minorities, please advise on:

- (a) the resources allocated to the 4 centres in 2009-10;
- (b) the estimated resources earmarked to the 4 centres in 2010-11;
- (c) the total number of staff members in the 4 centres and the number of posts taken up by the ethnic minorities.

Asked by : Hon. NG Margaret

Reply :

(a) The four support service centres commenced operation progressively during May to September 2009. The expenditure of the four centres in 2009-10 is as follows -

<b>Centre</b>	<b>Expenditure* (\$)</b>
Hong Kong Christian Service CHEER Centre	4.37 million
International Social Service HK Branch HOPE Centre	4.35 million
Yuen Long Town Hall Support Service Centre	4.16 million
Christian Action SHINE Centre	4.07 million
<b>Total</b>	<b>16.95 million</b>

\* Including part of the one-off setting up cost, and part year operating cost in 2009-10.

(b) The estimated expenditure for the centres in 2010-11 is as follows -

<b>Centre</b>	<b>Estimated Expenditure (\$)</b>
Hong Kong Christian Service CHEER Centre	7.15 million
International Social Service HK Branch HOPE Centre	3.25 million
Yuen Long Town Hall Support Service Centre	4.60 million
Christian Action SHINE Centre	4.57 million
<b>Total</b>	<b>19.57 million</b>

(c) As at 15 March 2010, the total number of staff members in the centres is 90, including 60 full time and 30 part time staff members. Among them, there are 38 ethnic minority staff members, all of whom are full time staff of the centres.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB101**

Question Serial No.

2821

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 : (a) What is the staffing involved in providing secretariat support for the Hong Kong/Shanghai Economic and Trade Co-operation Conference and Hong Kong/Beijing Economic and Trade Co-operation Conference by the Bureau? Please advise on the number of conferences held and the places where they were held in the past 3 financial years (i.e. 2007-08 to 2009-10). What are the actual, revised estimated and estimated expenditure of the Secretariat in the past three years (i.e. 2007-08 to 2009-10)?
- (b) If the conferences are hosted by Hong Kong, what are the expenditure items involved in receiving Mainland officials?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Hong Kong-Shanghai Economic and Trade Cooperation Conference and Hong Kong-Beijing Economic and Trade Cooperation Conference were established to foster closer economic and trade ties with the two municipalities. In previous years, a plenary meeting with Shanghai was held in 2003 in Hong Kong and two plenary meetings with Beijing were held in 2004 and 2006 in Hong Kong. Although no plenary meetings were held in the past three financial years (2007-08 to 2009-10), relevant HKSAR bureaux and departments continued to maintain close liaison and cooperation with their Shanghai and Beijing counterparts to take forward various cooperation initiatives in the areas of trade, investment, financial services, tourism and professional exchanges etc. Recent examples include HKSAR's participation in the 13<sup>th</sup> Beijing-Hong Kong Economic Cooperation Symposium held in October 2009 and the signing of Memorandum of Understanding Concerning Advancing Hong Kong-Shanghai Financial Cooperation in January 2010. Various other activities such as seminars, workshops, personnel training exchange programmes and visits were also conducted.

2. The funds for holding plenary meetings with Shanghai and Beijing were met by deploying existing resources. The actual expenditure for the past three financial years

are \$2,400 (2007-08), \$8,000 (2008-09) and 7,000 (2009-10) respectively. The expenditure involved mainly includes that relating to organising visits/seminars, working lunches/dinners, as well as provision of local transportation. According to the mutual understanding reached with Shanghai and Beijing, the local accommodation and air transportation expenditure will be borne by the visiting parties themselves.

3. The secretariat work involved includes liaison with the Mainland counterparts, paper documentation, logistical arrangements relating to accommodation, venue, working lunch/dinner, local transportation and PR arrangements. This is undertaken by a team in the Constitutional and Mainland Affairs Bureau which is also responsible for general Mainland liaison, housekeeping of Mainland Offices, Pan-Pearl River Delta regional cooperation and Sichuan reconstruction. It comprises an Administrative Officer Staff Grade C, a Senior Administrative Officer, an Administrative Officer and other supporting staff.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>17 March 2010</u>

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB102**

Question Serial No.

2822

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 : The Constitutional and Mainland Affairs Bureau will provide secretariat support to the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council to be established. What is the estimated staffing and expenditure requirements for 2010?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Building on the positive development across the Straits since mid-2008, we have taken proactive measures to further promote Hong Kong-Taiwan relations. In mid-2008, we set up the Steering Committee on Enhancing Hong Kong-Taiwan Economic Relations, chaired by the Financial Secretary, to examine and co-ordinate the overall strategy and action plan within the Government for promoting closer economic and trade ties with Taiwan. The Hong Kong Trade Development Council opened its office in Taipei in October 2008. We organised the Hong Kong-Taiwan Inter-City Forum in April 2009. We also implemented entry facilitation measures for Taiwanese visiting Hong Kong. All these measures have helped foster communication and exchanges between the two places.

2. To further enhance cooperation between Hong Kong and Taiwan, we will set up the Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council (ECCPC). The ECCPC will interact with the Taiwan-Hong Kong Economic and Cultural Co-operation Council (ECCC), its counterpart in Taiwan, to study and deal with public policy issues of mutual interest and promote exchanges between the two places in economic, cultural and other spheres.

3. While the ECCPC is not a government entity, HKSAR Government officials will participate in and provide full support to its work and activities in an appropriate capacity. The Constitutional and Mainland Affairs Bureau will provide Secretariat support to the ECCPC. We have reserved sufficient provisions for the activities of the ECCPC and other related work.

4. At the corporate level, we will set up the Hong Kong-Taiwan Business Co-operation Committee (BCC), comprising members of the local commercial sector and Taiwan businessmen in Hong Kong, under the Hong Kong Trade Development Council. The BCC will discuss with the Economic Co-operation Committee under the ECCC ways to foster closer cooperation between Hong Kong and Taiwan in trade and investment.

5. Hong Kong and Taiwan have been liaising closely on the establishment of the new cooperation platform to kick-start collaborations on various fronts, fostering mutually beneficial cooperation between the two places. We believe that with concerted effort of both sides, the new cooperation platform could be set up soon.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB103**

Question Serial No.

2823

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 : What were the manpower and expenditure involved in relation to the Bureau's work in co-ordinating HKSAR's participation in the celebration events held in Beijing organised by the Central Government to commemorate the 60th Anniversary of the Founding of the People's Republic of China in 2009?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

To commemorate the 60<sup>th</sup> Anniversary of the Founding of the People's Republic of China, the Central People's Government organised a series of celebration activities in Beijing. The Constitutional and Mainland Affairs Bureau assisted in coordinating HKSAR's participation at these events, which included the National Day Parade and the "Glorious Sixties – The People's Republic of China 60th Anniversary Exhibition". The design and the production cost of the HKSAR float, as well as rental of the float vehicle and other on board equipments like the LED monitors, is around \$3.3 million and that for the exhibition is about RMB530,000. The coordinating work involved is an integral part of the duties and functions of the officers concerned. The related manpower expenditure cannot be singled out and quantified.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

**JOSHUA LAW**

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB104**

Question Serial No.

2824

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 : What are the respective full-year provisions for 2010-11 for the positions of Director of Bureau and Deputy Director of Bureau, and the provision earmarked for filling the position of Political Assistant?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The full-year provisions for the salary in respect of the positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau for 2010-11 are \$3.38 million, \$2.37 million and \$1.86 million respectively.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB105**

Question Serial No.

2825

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 : (a) Regarding the disturbance allowance under Subhead 000, why is there a difference of over \$1.3 million between the original estimate for 2009-10 and the revised estimate for the same year?
- (b) The estimate for disturbance allowance for 2010-11 will increase substantially by more than \$1.5 million as compared with the revised estimate for 2009-10. What is the reason for the sharp increase?
- (c) What is the total number of items covered by the disturbance allowance? What are the specific items involved? Please set out the actual and estimated number of recipients of each of the items for 2008-09, 2009-10 and 2010-11 respectively.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

- (a) The original estimate for disturbance allowance in 2009-10 is \$2.756 million. This is to provide sufficient provision for Hong Kong based officers posted to the Mainland Offices whose tenures of posting would complete in the year, and that for their successors. Since some of these officers in the Mainland Offices had their postings extended during the year, the related expenditure on disturbance allowance has been reduced. The revised estimate for the purpose has therefore been revised downward by about \$1.3 million to \$1.426 million.
- (b) In 2010-11, the estimate for disturbance allowance is \$2.957 million. This has provided sufficient provision for the Hong Kong based officers whose tenures of posting in the Mainland Offices are expected to expire in the year, and for officers commencing their posting outside Hong Kong. The net increase of provision for this purpose in 2010-11, as compared to the revised estimate in 2009-10, is about \$1.5 million.
- (c) The disturbance allowance is a single allowance paid to the outgoing and incoming officers in connection with their posting outside Hong Kong. The amount of

the disturbance allowance paid to each officer varies depending on the salary drawn, the number of accompanying family members and the duration of the posting. The actual number of officers who had drawn the allowance in 2008-09, and the estimated numbers of officers drawing the allowance in 2009-10 and 2010-11 are 19, 28 and 35 respectively.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB106**

Question Serial No.

2995

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 : (a) Please advise on the activities held for promoting the Basic Law in the past three years (i.e. 2007-08 to 2009-10).  
(b) Please provide details of activities to be organised in 2010-11 for the promotion of the Basic Law, the expenditure involved and the relevant performance indicators.

Asked by : Hon. WONG Kwok-kin

Reply :

- (a) In the past three years, the Constitutional and Mainland Affairs Bureau has organized and sponsored over 60 promotional activities by adopting the following three promotional strategies:
- (i) first, we used the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the “One Country, Two Systems”. TV drama, TV documentary, Announcements of Public Interest, TV game shows, radio quiz shows and web game were produced for this purpose;
  - (ii) secondly, we enhanced public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals; and
  - (iii) thirdly, we strengthened co-operation with community organisations in organising promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks.

(b) In 2010-11, we have set aside \$16 million for organising various promotional activities. We will adopt “The 20th Anniversary of the Promulgation of the Basic Law” as the main theme, with focus on the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong’s implementation of “One Country, Two Systems”, “Hong Kong People ruling Hong Kong” and a high degree of autonomy principles. We will continue to make use of the three aforementioned promotional strategies in delivering the messages. We will keep track of the feedback and the level of participation of the general public to ensure that the important messages of the Basic Law could be conveyed to the community.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB107**

Question Serial No.

2996

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 : Please advise on the HKSAR's plan to complement the preparation of the National 12<sup>th</sup> Five-Year Plan and details of expenditure.

Asked by : Hon. WONG Kwok-kin

Reply :

The National 12<sup>th</sup> Five-Year Plan (the Plan) will provide a useful platform for the Hong Kong Special Administrative Region (HKSAR) in fostering our long-term economic growth, while continuing to contribute to the development of the Mainland. The Administration will capitalise on this opportunity. The key to this is effective communication with the relevant Mainland departments and ministries, with a view to complementing the preparation of the Plan under the principle of "One Country, Two Systems".

2. In 2010-11, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to co-ordinate the HKSAR's efforts in liaising with the Mainland authorities, including maintaining the Administration's working relationship with the National Development and Reform Commission, and co-ordinating efforts of bureaux and departments in liaising with their Mainland counterparts. In 2010-11, the CMAB has earmarked about \$240,000 for the above purpose. This amount covers the direct expenditure to be incurred in respect of meetings and similar events. In any event, the Bureau as a whole and the HKSAR Beijing Office will have sufficient staff and other resources which will be involved in promoting the complementary work of the HKSAR Government in relation to the preparation of the Plan.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB108**

Question Serial No.

2997

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 : In respect of Liaison, Economic and Trade, and Investment Promotion Affairs under this programme, it is stated in Matters Requiring Special Attention in 2010-11 that the Mainland Offices will “promote Hong Kong in the Mainland, particular those selected provinces / regions / municipalities for the promotion of the professional services sectors and taking into consideration the potential for developing business opportunities between Hong Kong and the Mainland locations concerned and interests of the various sectors of the HKSAR”. In this connection, please provide information on the following :

- (a) the areas covered by the selected provinces / regions / municipalities;
- (b) the specific measures for promoting the professional services sectors in the Mainland, the expenditure involved and the anticipated economic benefit.

Asked by : Hon. WONG Kwok-kin

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 proactively approaching Hong Kong investors/practitioners in the places concerned and following up issues of common concern through appropriate channels; assisting Hong Kong investors/practitioners in obtaining information on business operation in the Mainland, particularly those relating to new laws and policies; and assisting in arranging trade delegations to the Mainland, etc.

2. As an integral part of the above work, the Mainland Offices will incorporate the promotion of Hong Kong's professional services into the various activities to be launched by them in 2010-11, including seminars, exhibitions, workshops and speeches as appropriate. The Mainland Offices will also explore opportunities to conduct activities targeted at promoting professional services that match the interests of

the concerned professional sectors and the needs and circumstances of the selected provinces, regions and municipalities. Planned activities include seminars and conferences on Hong Kong's modern services (including those covered under the Mainland and Hong Kong Closer Economic Partnership Arrangement), and trade missions to selected Mainland provinces/municipalities. The Mainland Offices will maintain close contact with the relevant professional sectors in Hong Kong during the process.

3. We would also make use of Hong Kong's participation in the World Exposition 2010 Shanghai China to be held from 1 May to 31 October in Shanghai to promote Hong Kong, including our professional services. In particular, a couple of major forums would be held in July to promote our legal and financial services.

4. In 2010-11, a sum of \$101 million has been earmarked under Programme (3) for the Mainland Offices to undertake liaison, economic and trade, and investment promotion work. The Mainland Offices' work in promoting Hong Kong's professional services in the Mainland is an integral part of the roles and functions of their work. The expenditure involved cannot be singled out and will be absorbed within the above provision of \$101 million.

5. We expect that these measures will help Hong Kong's professional service sectors to expand their market, further develop Hong Kong as an international business and service centre, enhance the provision of support services to enterprises in the Mainland and further strengthen the trade relations between Hong Kong and the Mainland.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB109**

Question Serial No.

2998

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 : Under this programme, provision for 2010-11 is 60.4% higher than the original estimates for 2009-10. What are the reasons?

Asked by : Hon. WONG Kwok-kin

Reply :

Under Programme (2): Constitutional and Mainland Affairs, the estimated provision for 2010-11 is 60.4% (\$98.7 million) higher than the original estimates for 2009-10 mainly because the provision for matters relating to the World Exposition 2010 Shanghai China has increased by about \$80 million. There are also increased provisions for other constitutional and mainland affairs matters and related initiatives.

2. The details of work are as follows –

- |     |   |   |
|-----|---|---|
| (a) | World Exposition 2010 Shanghai China                                      | Providing administrative and logistical support for the HKSAR's participation in the World Exposition 2010 Shanghai China   |
| (b) | Other constitutional and mainland affairs matters and related initiatives | Complementing the preparation of the National 12 <sup>th</sup> Five-Year Plan, co-ordinating and enhancing co-operation and exchanges with Taiwan, developing the electoral systems in accordance with the relevant provisions of the Basic Law, etc. |

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB110**

Question Serial No.

2999

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 : The Administration pointed out in Matters Requiring Special Attention in 2010-11 that the EOC will follow up on the recommendations of the formal investigation on accessibility for persons with disabilities. In this connection, please provide information on the following:

- (a) the planned date for conducting the investigation and the main areas covered by the investigation;
- (b) the method and findings of the investigation; and
- (c) the detailed plan for following up the recommendations and the expenditure involved.

Asked by : Hon. WONG Kwok-kin

Reply :

The Equal Opportunities Commission (EOC) launched the Formal Investigation on 'Accessibility in Certain Publicly Accessible Premises' in December 2006. Details of the Investigation included the following:

- (a) The EOC conducted a series of site inspections from June 2007 to March 2008 to assess accessibility in 60 premises/estates/facilities owned, built or managed by the Hong Kong Housing Authority, Hong Kong Housing Society, the Link Management Ltd. and the Government. The EOC held a number of focused group discussions with stakeholder groups to gauge users' views regarding those premises and facilities. The EOC sent individual site inspection reports to relevant managers of premises in September 2008 for information, response and rectification. All responses were received in mid-2009.
- (b) Following the procedures set out in (a) in conducting the Investigation, the EOC found that premises and facilities built after the promulgation of the Design Manual on Barrier-free Access in 1997 showed higher level of compliance with the Manual. Situations in premises built before the

promulgation of the Manual were far from satisfactory. Frontline staff were found lacking in sensitivity towards the needs of persons with disability. The EOC recommended better co-ordination amongst government departments.

- (c) After reviewing the inspection reports, some managers of premises had taken improvement measures, while others agreed to look into their feasibility. The final investigation report will be released by the EOC in May 2010. In 2010-11, the EOC will follow up on the progress of improvement for relevant premises and work out time tables for improvement on outstanding items. The follow-up actions will be absorbed by EOC's operation expenses and no separate breakdown is available.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ JOSHUA LAW \_\_\_\_\_

Post Title \_\_\_\_\_ Permanent Secretary for  
Constitutional and Mainland Affairs \_\_\_\_\_

Date \_\_\_\_\_ 17 March 2010 \_\_\_\_\_

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB111**

Question Serial No.

3021

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 : For studies and public opinion surveys on subjects relating to constitutional matters conducted by the Administration, please list out in detail the projects under study and the topics covered by the opinion surveys conducted in the past year (i.e. 2009-10), and the amount of money spent on each study and opinion survey. Please also advise on the studies and surveys to be conducted in the coming two years (i.e. 2010-11 to 2011-12) and the estimated expenditure for each study and survey.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Central Policy Unit regularly conducts internal studies and commissions academic and commercial research institutes to carry out opinion polls on different public policy issues. The findings are for Government's internal reference. We generally will not make public information relating to these internal studies and polls.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB112**

Question Serial No.

3022

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 : Regarding the development of political parties, has the Administration conducted any study on the development of political parties in Hong Kong? If yes, what are the findings? Please advise on the specific work undertaken by the Administration to facilitate the development of political parties and whether the Administration will draw up measures and policies conducive to the development of political parties, so as to pave the way for pursuing a democratic political system in future.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

It has been our continuous effort in reviewing and facilitating the development of political parties in Hong Kong. In this regard, we have implemented a series of measures:

- (a) In the 2004 Legislative Council (LegCo) election, we first introduced the financial assistance scheme for candidates with the aim of encouraging more aspiring candidates (including members of political parties) to participate in the election. In the 2008 LegCo election, the rate of subsidy was increased from \$10 to \$11 per vote. The financial assistance scheme was extended to cover District Council elections in 2007. At the same time, the formula for calculating the amount of financial assistance was relaxed such that the amount of election donations received by candidates would not need to be taken into account. This allows candidates to make full use of the financial support provided by political parties.
- (b) The number of seats for election has been increased, so as to enhance the opportunity for people with different political backgrounds to participate in politics. For example, in 2007, the number of District Council seats was increased from 400 to 405. For the 2012 LegCo election, we have proposed in the public consultation document

published in November 2009 that consideration may be given to increasing the number of LegCo seats to 70.

- (c) The political appointment system has been further developed to attract talents with different backgrounds, including those with political affiliation, to join the Government. This can create more room for political party members to participate in politics.

2. We will continue to review our measures to facilitate development of political parties in Hong Kong in light of developments over the course of the next seven years as we move towards universal suffrage.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB113**

Question Serial No.

3187

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 : There is a \$135.8 million increase in the estimates of expenditure for 2010-11. Please provide details of matters relating to enhancing co-operation and exchanges with Taiwan and the Shanghai Expo and the expenditure involved.

Asked by : Hon. LAM Tai-fai

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 2009-10, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported various exchange activities between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of "One Country, Two Systems" principle.

2. In 2010-11, we will continue to enhance exchanges and cooperation with Taiwan. Our major work will include –

- (a) setting up the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) as a new platform to enhance cooperation in various policy areas with the Taiwan-Hong Kong Economic and Cultural Co-operation Council;
- (b) fostering exchanges with cities and counties of Taiwan through organising activities such as "Hong Kong-Taiwan Inter-City Forum";
- (c) sponsoring non-governmental organisations to organise fora, seminars and related activities which promote Hong Kong-Taiwan exchanges;

- (d) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems” principle;
- (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (g) 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” principle.

3. We have reserved \$4 million for promoting exchanges with Taiwan. In addition, we have reserved sufficient provisions for the activities of ECCPC and other related work.

4. In 2010-11, the recurrent expenditure in the Constitutional and Mainland Affairs Bureau on matters relating to the Shanghai Expo is estimated to be \$3.73 million. This expenditure is primarily for the personal emoluments and related operational expenses for the Expo Coordinating Team, which is responsible for coordinating the planning and implementation of activities relating to HKSAR’s participation in the Expo.

5. In addition, an estimated \$162.79 million in non-recurrent expenditure will be incurred in 2010-11 for operating the Hong Kong Pavilion and the Urban Best Practices Area (UBPA) Exhibition, for organising a wide range of cultural performances and promotion activities, as well as for developing the Online Hong Kong Pavilion and Online UBPA Exhibition.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB114**

Question Serial No.

0851

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please list out the expenditure items, organisers and target groups of the events for the promotion of human rights in 2009-10 as well as the expenditure estimated for the promotion of human rights in 2010-11 and the main area of activities. Is there any dedicated staff under the Constitutional and Mainland Affairs Bureau to look into the work and budget of other government departments for the promotion of human rights through channels like school education, community activities and other publicity activities? If yes, what is the rank of the responsible officer? What is the total expenditure incurred by various government departments on the promotion of human rights in 2009-10?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The expenditure on major items undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) on promoting human rights in 2009-10 is \$29.8 million. The major activities to promote human rights in 2009-10 are listed at the **Annex**.

2. In 2010-11, the funding reserved for the promotion of human rights is \$32 million. The areas of activities include promotion and public education on children's rights, racial equality and harmony, and equal opportunities for people of different sexual orientation and transgendered persons as well as sponsorship to non-government organisations for relevant activities.

3. In addition, CMAB provides subvention to the Equal Opportunities Commission (EOC) for carrying out statutory functions relating to elimination of discrimination and promotion of equal opportunities. The revised estimates for the EOC in 2009-10 and the estimates in 2010-11 are \$80.2 million and \$83.1 million respectively.

4. Staff of CMAB (including staff in the Gender Identity and Sexual Orientation Unit, Race Relations Unit and Children's Rights Unit) also work closely with other government bureaux and departments for the promotion of human rights. For instance, the Education Bureau facilitates the promotion of human rights education in schools in Hong Kong, through measures such as embedding related learning elements in the curriculum, organising teacher professional development programmes, developing learning and teaching resources, etc. The Committee on the Promotion of Civic Education promotes human rights education in its publications and grants sponsorship under its Community Participation Scheme to community organisations to organise activities to promote civic values relating to human rights. The relevant expenditures such as staff costs are absorbed under the funding of the Education Bureau and Home Affairs Bureau.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

## Major activities to promote human rights in 2009-10

<b>Activities</b>	<b>Responsible organisation</b>	<b>Target</b>
Forums	CMAB	Members of the public, in particular interested NGOs
Equal Opportunities (Sexual Orientation) Slogan and Logo Design Competition	CMAB	Members of the public
Equal Opportunities (Sexual Orientation) Funding Scheme	Sponsored organisations	Members of the public
Support services centres for ethnic minorities	Sponsored NGOs	Member of the public, in particular ethnic minorities
Printing of comic books under United Nations Treaties	CMAB	Members of the public, in particular teachers and children
Children's Rights Education Funding Scheme	Sponsored organisations	Members of the public, in particular children
Children's Council	Sponsored organisation	Members of the public, in particular children
TV, Radio, MTR and Roadshow API on Children's Rights	CMAB	Members of the public, in particular children
Community development teams	Sponsored NGOs	Member of the public, in particular ethnic minorities
Mobile information service at airport	Sponsored NGOs	Member of the public, in particular ethnic minorities
Cross-cultural youth programmes	Sponsored NGOs	Member of the public, in particular ethnic minorities
Community support teams	Sponsored NGOs	Member of the public, in particular ethnic minorities
Radio programmes in ethnic minority languages	RTHK	Member of the public, in particular ethnic minorities
Languages training classes	Sponsored NGOs	Member of the public, in particular ethnic minorities
Service Guidebooks	CMAB	Member of the public, in particular ethnic minorities
Harmony scholarships	CMAB	Primary and Secondary students, including ethnic minorities students

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB115**

Question Serial No.

0852

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-11, the Constitutional and Mainland Affairs Bureau will “continue to oversee compliance with the reporting requirements under five human rights treaties which apply to the HKSAR” and “continue to co-ordinate attendance of the HKSAR delegations at meetings of the United Nations human rights treaty monitoring bodies as and when required”. Please advise on the treaties under which attendance at meetings of the United Nations by HKSAR delegations and submission of reports are required in 2010-11. What is the provision earmarked for meeting the expenditure on printing the reports and conducting consultations?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2010-11, we will continue to co-ordinate attendance of the HKSAR Government delegations at meetings of the relevant United Nations (UN) human rights treaty monitoring bodies as and when required. The schedule of hearing is to be determined by the relevant UN treaty monitoring bodies. At present, we are not aware of any concrete schedule for such hearings in 2010-11 that will involve our participation.

2. Regarding the submission of reports, the HKSAR Government is working with the Central People's Government on the submission of the second report of the HKSAR under the Convention on the Rights of the Child (CRC) and the third report of the HKSAR under the International Covenant on Economic, Social and Cultural Rights, which will form part of China's reports on the respective treaties. We also plan to conduct public consultation for the preparation of the HKSAR's report under the International Covenant on Civil and Political Rights in 2010-11.

3. A sum of about \$450,000 has been earmarked for printing of the reports and production of CD-ROM. On the other hand, efforts in overseeing compliance with the relevant reporting requirements, including drafting the reports and conducting relevant public consultation, are an integral part of the work of our Bureau and no separate breakdown of the related expenses is available.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB116**

Question Serial No.

0853

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding the 4 support service centres for ethnic minorities, please list out, by each centre, the funding allocation, the staff recruited, the services provided and the number of ethnic minorities using the services in 2009-10. Please advise on the allocation earmarked for each centre in 2010-11.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The four support service centres for ethnic minorities came into operation from May to September 2009. In 2009-10, the funding allocation, the staff recruited, the services provided and the number of persons who have used the services (up to end February 2010) for each of the centres are as follows -

Hong Kong Christian Service CHEER Centre	
Funding allocation*	\$4.37 million
Staff recruited (as at 15 March 2010)	Full time:29 Part time:12
Services provided	✧ Free centralised telephone interpretation service ✧ On-site interpretation and written translation services ✧ English and Cantonese language classes ✧ Integration programmes including social and orientation programmes (such as talks about employment laws, hospital services), technical literacy programmes (such as computer classes) and cultural literacy programmes (such as festive celebrations, tai chi, traditional dance) ✧ Counselling, sight translation and referral services
Number of users (up to end February 2010)	2 100

International Social Service-Hong Kong Branch HOPE Centre	
Funding allocation*	\$4.35 million
Staff recruited (as at 15 March 2010)	Full time:9 Part time:7
Services provided	<ul style="list-style-type: none"> <li>✧ English and Cantonese language classes</li> <li>✧ Integration programmes such as computer classes, orientation to Hong Kong programmes, personality development courses, training and seminars, cross cultural interest classes</li> <li>✧ Counselling, sight translation and referral services</li> </ul>
Number of users (up to end February 2010)	2 000

Yuen Long Town Hall (YLTH) Support Service Centre	
Funding allocation*	\$4.16 million
Staff recruited (as at 15 March 2010)	Full time:11 Part time:3
Services provided	<ul style="list-style-type: none"> <li>✧ Cultural shows and festive programmes</li> <li>✧ English and Cantonese language classes</li> <li>✧ Integration programmes such as after school tutorial classes, computer classes, orientation and familiarization programmes (such as outings, talks and seminars on employment, health issues)</li> <li>✧ Counselling, sight translation and referral services</li> </ul>
Number of users (up to end February 2010)	4 000 (Note: in addition, the YLTH has organised a number of mass programmes including cultural shows, carnivals etc. with an overall attendance of 4 700 participants.)

Christian Action SHINE Centre	
Funding allocation*	\$4.07 million
Staff recruited (as at 15 March 2010)	Full time:11 Part time:8
Services provided	<ul style="list-style-type: none"> <li>✧ English and Cantonese language classes</li> <li>✧ Integration programmes (such as after school tutorial classes), social integration programmes (such as employment workshops, outings, interest classes, cross cultural women ambassador project), racial harmony programmes (such as cross over cricket team, cross over band group, cultural sensitivity trainings to community groups)</li> <li>✧ Counselling, sight translation and referral services</li> </ul>
Number of users (up to end February 2010)	1 600

\* The funding allocation in 2009-10 for the centres include part of the one-off setting up cost, and part year operating cost in 2009-10.

2. The allocation earmarked for each of the centres in 2010-11 is as follows -

<b>Centre</b>	<b>Expenditure (\$)</b>
Hong Kong Christian Service CHEER Centre	7.15 million
International Social Service HK Branch HOPE Centre	3.25 million
Yuen Long Town Hall Support Service Centre	4.60 million
Christian Action SHINE Centre	4.57 million
<b>Total</b>	<b>19.57 million</b>

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB117**

Question Serial No.

0854

Head : 144 GS: Constitutional and Mainland Affairs Bureau                      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding “continue to provide bureaux and departments with advice and guidance on matters relating to compliance with the Code on Access to Information”, what are the departments to which advice and guidance have been given and how many pieces of advice have been given by the Government in 2009-10? What is the work plan for 2010-11? What are the ranks of the staff responsible for following up the relevant work?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government is committed to the proper implementation of and compliance with the Code on Access to Information (the Code). In 2009-10, the Constitutional and Mainland Affairs Bureau (CMAB) organized various promotion and training programmes, such as issuing circular memorandum/emails, frequently asked questions and precedent cases, including the Code in relevant grades' regular training programmes, and organising briefings/training for Access to Information Officers (AIOs) and trainers of bureaux and departments (B/Ds). In addition, CMAB provided over 100 pieces of written/verbal advice to B/Ds on the interpretation of the Code and on procedural matters in handling requests, etc. for information upon B/Ds' enquiries.

2. In 2010-11, CMAB will implement the following measures to promote the Code within the Government:

- (a) provide more timely training for AIOs. Where appropriate, training will be conducted in a small group briefing format. Refresher training for all AIOs will be organized;
- (b) work with B/Ds to organise more regular training for their staff. B/Ds are requested to report on a quarterly basis to the CMAB on in-house training sessions conducted;

- (c) monitor complaints lodged with The Ombudsman closely. B/Ds are required to report to the CMAB complaint cases relating to requests for information upon receipt of the referral from The Ombudsman's Office;
- (d) review the General Circular on the Code and the format of the quarterly return for reporting by B/Ds on requests for information processed;
- (e) beef up precedent cases for reference by B/Ds; and
- (f) continue to update the list of frequently asked questions. We have recently requested B/Ds to update their internal circular and guidelines on the Code.

3. A Principal Assistant Secretary and a Senior Executive Officer of CMAB are responsible for the above work, with steer from the senior directorate officers of the Bureau.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB118**

Question Serial No.

0855

Head : 144 GS: Constitutional and Mainland Affairs Bureau      Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding review of the Personal Data (Privacy) Ordinance and discussions on legislative proposals, please advise on the Government's work plan for 2010-11 and the timetable.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

To enhance protection of personal data privacy, we have, in conjunction with the Privacy Commissioner for Personal Data, conducted a comprehensive review of the Personal Data (Privacy) Ordinance to examine whether the existing provisions of the Ordinance still afford adequate protection to personal data having regard to developments, including advancement in technology, over the last decade or so. We conducted a public consultation on the review from August to November 2009. We are consolidating and analysing the views received during the public consultation. We will put forth legislative proposals and arrange for further public discussions in 2010.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

**JOSHUA LAW**

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB119**

Question Serial No.

0856

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 : (a) The estimated expenditure of the Equal Opportunities Commission for 2009-10 is \$4.1 million higher than the original estimates. What are the reasons?
- (b) Please list out the respective expenditure and staffing of the Equal Opportunities Commission in 2009-10 for handling complaints and legislative matters, and conducting promotion work and research studies.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

(a) The increase of \$4.1 million in the 2009-10 revised estimates of the Equal Opportunities Commission is mainly due to the increase in recurrent subvention of \$3 million for the engagement of additional staff for enforcement of the Race Discrimination Ordinance (RDO) which was fully implemented in July 2009, and a one-off subvention of \$1 million for the publicity and promotion of the RDO.

(b) In 2009-10, the expenditure on complaints handling, legal service, publicity and public education and research, and the number of responsible officers are as follows –

	<b>Expenditure in 2009-10 (\$ million)</b>	<b>Number of staff (as at 28 February 2010)</b>
Complaints handling	16.9	25
Legal service	8.7	8
Publicity and public education	19.4	13
Research	4.9	5

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

Post Title \_\_\_\_\_

Date \_\_\_\_\_

**JOSHUA LAW**

Permanent Secretary for  
Constitutional and Mainland Affairs

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB120**

Question Serial No.

0857

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 : What is the number of research studies conducted by the Equal Opportunities Commission on subjects relating to discrimination and equal opportunities in 2009-10? Please list out the research studies, the start date and completion date, the expenditure and the staffing of the Commission responsible for the studies.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The research studies commissioned by the Equal Opportunities Commission (EOC) in 2009-10 and the relevant details are as follows.

	<b>Research studies</b>	<b>Start date</b>	<b>Completion date</b>	<b>Expenditure * (\$)</b>
1	Thematic Household Survey on Racial Acceptance in Hong Kong	April 2008	June 2009	800,000
2	Second Baseline Survey on Public Attitudes towards Persons with a Disability	October 2009	Expected to be completed in October 2010	200,000
3	Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System	October 2009	Expected to be completed in April 2011	494,500

\* Excluding staff costs as this cannot be attributed to individual studies.

2. The Policy and Research Unit of the EOC is responsible for conducting policy reviews, liaisons and advocacies to combat systemic discrimination, co-ordination and supervision of commissioned empirical studies or surveys and facilitate mainstreaming of equal opportunities in society, and other policy and research-related work. Currently, there are 5 staff in the Unit.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB121**

Question Serial No.

0858

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 : Regarding the major promotional events convened by the Equal Opportunities Commission in 2009, please list out the themes of the events and the expenditure incurred. Please also advise on the co-organisers, if any.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The major promotional events organised by the Equal Opportunities Commission (EOC) in 2009 include regular or larger scale promotional events. They are listed at the Annex together with the co-organisers (where applicable). The EOC has also operated other on-going programmes in the year, such as the annual Community Participation Funding Programme and the publication of newsletters, as well as ad-hoc promotional activities such as advertisement campaigns on Race Discrimination Ordinance. The total expenditure on these promotional effort in 2009-10 (excluding staff cost) is \$8.4 million.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

JOSHUA LAW

Post Title \_\_\_\_\_

Permanent Secretary for  
Constitutional and Mainland Affairs

Date \_\_\_\_\_

17 March 2010

## Major promotional events organised by the EOC in 2009

	Activity	Co-organisers / joint parties (if any)
1.	"Career Challenge" Youth Mentorship Programme for youth to cultivate awareness and elimination of stereotyping through a series of talks and workplace visits.	-
2.	EO Diversity Radio Project to promote racial harmony, gender equality, inclusion of persons with disability and accommodation for persons with family status.	RTHK
3.	A series of radio drama to promote inclusion and diversity in everyday life.	Commercial Radio
4.	Issue-related seminars for EO Club members to improve understanding of anti-discrimination ordinances and assist employers, human resources practitioners, workplace supervisors and trainers to implement good management practices and comply with the law.	-
5.	Roving exhibitions on the Race Discrimination Ordinance at MTR stations and shopping centres to promote inclusion and racial equality.	-
6.	Seminar on "Gender Equality and Gender Respect – Media and Societal Culture, Where Do We Go from Here?" to exchange ideas with experts and stakeholders on possible measures to minimise potential impacts imposed by questionable media messages.	Women's Commission
7.	"Stop Discrimination Now – Starting with You and Me" short video competition to invite participants to express their views on equal opportunities or discrimination through production of short video.	-
8.	World SME Expo 2009 at which an exhibition booth was set up and promotional publications distributed to the Expo visitors.	The Expo was organised by the Hong Kong Trade Development Council
9.	Briefings on "How to Achieve Equal Pay under the Sex Discrimination Ordinance" for human resources practitioners from private, public and non-governmental organisations sectors.	-

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB122**

Question Serial No.

0859

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 : Regarding enquiries directed to the Equal Opportunities Commission in 2008 and 2009, please list out, by ordinance, the respective numbers of general enquiries, enquiries through Interactive Voice Response System and specific enquiries.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The breakdown of enquiries received by the Equal Opportunities Commission (EOC) in 2008 and 2009 by year and by ordinance is set out below –

	<b>2008</b>	<b>2009</b>
<b>General enquiries</b> (Note 1)	<b>6 453</b>	<b>8 140</b>
<b>Interactive Voice Response System (IVRS)</b> (Note 1)	<b>5 292</b>	<b>5 224</b>
<b>Specific enquiries</b> (Breakdown shown below)	<b>6 748</b>	<b>7 488</b>
<i>Sex Discrimination Ordinance</i>	<i>1 017</i>	<i>926</i>
<i>Disability Discrimination Ordinance</i>	<i>2 362</i>	<i>2361</i>
<i>Family Status Discrimination Ordinance</i>	<i>164</i>	<i>179</i>
<i>Race Discrimination Ordinance (RDO)</i> (Note 2)	<i>N.A.</i>	<i>265</i>
<i>Work of EOC</i>	<i>552</i>	<i>865</i>
<i>Outside EOC's jurisdiction</i>	<i>2 653</i>	<i>2 892</i>
<b>Total</b>	<b>18 493</b>	<b>20 852</b>

Note 1: No breakdown by ordinance is available for general enquiries (handled by hotline during office hours) and enquiries received through IVRS (handled after office hours).

Note 2: RDO came into full operation on 10 July 2009. There is no statistics for 2008.

Signature \_\_\_\_\_

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for  
Constitutional and Mainland Affairs

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB123**

Question Serial No.

0314

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000  
Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide the following information on the employment of temporary staff to provide services:

	2010-11	2009-10	2008-09	2007-08
Breakdown of the number of temporary staff employed	( )	( )	( )	( )
Breakdown of posts taken up by temporary staff employed	( )	( )	( )	( )
Breakdown of salaries of temporary staff employed	( )	( )	( )	( )
Benefits of temporary staff employed	( )	( )	( )	( )
Length of employment of temporary staff in years, months and days?	( )	( )	( )	( )
Percentage of temporary staff employed in the total number of staff in the department	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply : The Registration and Electoral Office has not employed any temporary staff.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB124**

Question Serial No.

0315

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide the following information on the employment of non-civil service contract (NCSC) staff to provide services:

	2010-11	2009-10	2008-09	2007-08
Breakdown of the number of NCSC staff	( )	( )	( )	( )
Breakdown of posts taken up by NCSC staff	( )	( )	( )	( )
Breakdown of salaries of NCSC staff	( )	( )	( )	( )
Benefits of NCSC staff	( )	( )	( )	( )
Length of employment of NCSC staff in years	( )	( )	( )	( )
Were there any chances for NCSC staff to convert to civil servants on permanent terms?	( )	( )	( )	( )
If there were chances for conversion, the number of NCSC staff who failed to do so	( )	( )	( )	( )
Percentage of NCSC staff in the total number of staff in the department	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

Information on the employment of NCSC staff in the Registration and Electoral Office (REO) is provided below -

	2010-11 (Note)	2009-10	2008-09	2007-08
Breakdown of the number of NCSC staff	-	183 (+165.2%)	69 (-81.1%)	365 (-)
Breakdown of posts taken up by NCSC staff	-	183 (+165.2%)	69 (-81.1%)	365 (-)
Breakdown of salaries of NCSC staff (per month)	-			
● \$30,000 or above		7 (-22.2%)	9 (-47.1%)	17 (-)
● \$16,000 - \$29,999		16 (+6.7%)	15 (0%)	15 (-)
● \$8,000 - \$15,999		87 (+521.4%)	14 (-91.4%)	163 (-)
● \$5,000 - \$7,999		73 (+135.5%)	31 (-81.8%)	170 (-)
Benefits of NCSC staff	Fringe benefits are granted in accordance with the Employment Ordinance.			
Length of employment of NCSC staff in REO	-			
● Less than 3 years		145 (+245.2%)	42 (-87.6%)	340 (-)
● 3 years to less than 5 years		22 (+214.3%)	7 (-30%)	10 (-)
● 5 years or more		16 (-20%)	20 (+33.3%)	15 (-)
Were there any chances for NCSC staff to convert to civil servants on permanent terms?	REO does not recruit civil servants on permanent terms. The NCSC staff, who meet the relevant basic entry requirements in the open recruitment exercises for the relevant civil service posts conducted by other government departments, are required to apply for the jobs and go through an open, fair and competitive			

	recruitment process.
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If there were chances for conversion, the number of NCSC staff who failed to do so	-			
Percentage of NCSC staff in the total number of staff in REO	-	60.2%	36.3%	71%

*Figures in ( ) denote year-on-year changes*

Note Figures are not available as the number of NCSC staff varies from time to time in the light of changing service and operational requirements.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB125**

Question Serial No.

0316

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide information on outsourced services (including property management, security, cleansing, telecommunications and information technology, statistics, etc., but excluding construction works) in the format set out below:

	2010-11	2009-10	2008-09	2007-08
Contents of outsourced service contracts	( )	( )	( )	( )
Number of outsourced service contracts	( )	( )	( )	( )
Value of outsourced service contracts	( )	( )	( )	( )
Number of workers employed under outsourced service contracts	( )	( )	( )	( )
Number of outsourced service contracts that can be replaced by employment of permanent staff by the Government	( )	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The Registration and Electoral Office has no outsourced services.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB126**

Question Serial No.

0622

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding the 62 posts to be created in 2010-11, please list out their distribution by grades and the estimated salary costs.

Asked by : Hon. HO Chun-yan, Albert

Reply :

The Registration and Electoral Office plans to create 62 time-limited posts in 2010-11 by phases. Details are as follows-

<u>Grade</u>	<u>No. of Post</u>
Executive Officer Grade	57
Information Officer Grade	1
Supplies Officer Grade	1
Supplies Supervisor Grade	1
Clerical Officer Grade	2

The total provision for the 62 posts in 2010-11 is \$17.16 million.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB127**

Question Serial No.

0948

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Government proposed to make a substantial additional provision of \$172 million (an increase of 230.5%) mainly for the preparation and conduct of the 2010 Legislative Council (LegCo) by-election. According to the opinion surveys conducted by several local newspapers, most members of the public were strongly opposed to the funding application. One survey published by a newspaper on 29 January even indicated that 73% of those surveyed considered it "not worthy" to spend \$150 million of public money for the by-election. Will the Government follow public opinion and remove the expenses item from the funding application? If not, what are the reasons?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

According to section 36(1)(a) of the Legislative Council Ordinance (Cap.542), the Electoral Affairs Commission (EAC) must arrange for a by-election to be held when the Clerk to the Legislative Council (LegCo) makes a declaration as to the existence of a vacancy in the membership of the LegCo. As a result of the resignation of the five LegCo Members, the EAC has the statutory responsibility to arrange for the by-election. Section 12 of the Electoral Affairs Commission Ordinance (EACO) (Cap. 541) specifies that all expenses properly incurred by the Commission, a member of the Commission or the Chief Electoral Officer in the performance of any function under this or any other Ordinance shall be payable out of the general revenue. For the purpose of budgetary planning, provisions for conducting elections and by-elections have all along been included in the annual estimates of the Registration and Electoral Office (REO)'s Head of Expenditure, the aim of which is to provide the EAC with administrative support in the effective discharge of its statutory functions under the EACO and any other Ordinance. As an estimated expenditure of \$146.6 million for the 2010 LegCo by-election will be incurred in 2010-11, in line with the established practice, this provision is included in the REO's draft estimates for 2010-11.

2. It is necessary for the Government to ensure that the people of Hong Kong are fully represented in the LegCo. Therefore, the five vacancies have to be filled through a by-election.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB128**

Question Serial No.

1088

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

- (a) In 2010-11, the provision for electoral services is \$247.2 million, which is 230.5% higher than that of the last year. Please provide a detailed account of the main uses of the \$172.4 million additional provision and a breakdown of the expenses for each of the items.

Item	Estimated Expenditure

- (b) Please give a detailed account of the provision for the preparation and conduct of the 2010 Legislative Council (LegCo) by-election.

Item	Estimated Expenditure
Total	

- (c) Why was the provision proposed for the preparation and conduct of the 2010 Legislative Council by-election not pursued under a separate application?

Asked by : Hon. IP Kwok-him

Reply :

- (a) The additional provision of \$172.4 million allocated for 2010-11 is mainly for the preparation of various elections, including the conduct of the 2010 Legislative Council (LegCo) by-election (\$146.6 million), the preparation for the 2011 District Council election and the 2011 Election Committee subsector elections (\$21.7 million) and the supervision of the 2011 Village Representative elections (\$2.5 million).

(b) A breakdown of the estimated expenditure for the 2010 LegCo by-election in the 2009-10 and 2010-11 financial years is provided below –

<b>Estimated expenditure for preparation and conduct of the 2010 LegCo by-election</b>	<b>\$ Million</b>
(1) Staff Cost (including time-limited civil service posts and non-civil service contract (NCSC) staff)	31
(2) Publicity	3
(3) Election Expenses (including the costs for electoral arrangements such as hire of venue, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing for candidates, printing, operating cost for temporary office, etc.)	125
<hr/>	
Total	159

(c) For the purpose of budgetary planning, provisions for conducting elections and by-elections have all along been included in the annual estimates of the Registration and Electoral Office (REO)'s Head of Expenditure, the aim of which is to provide the Electoral Affairs Commission with administrative support in the effective discharge of its statutory functions under the Electoral Affairs Commission Ordinance (Cap. 541) and any other Ordinance. As an estimated expenditure of \$146.6 million for the 2010 LegCo by-election will be incurred in 2010-11, in line with the established practice, this provision is included in the REO's draft estimates for 2010-11.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB129**

Question Serial No.

1144

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-11, the estimate of the Registration and Electoral Office (REO) shot up to \$247.2 million, representing a substantial increase of 230.5% when compared to that of last year. What are the reasons for such increase? What is the provision earmarked for by-elections in the total estimate? What is the percentage of increase/decrease when compared to 2009-10?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The 230.5% increase in provision for 2010-11 over the revised estimate for 2009-10 is mainly due to increased requirements for the preparation and conduct of the 2010 Legislative Council (LegCo) by-election, the supervision of the 2011 Village Representative elections and the preparation for the 2011 District Council (DC) election and the 2011 Election Committee subsector elections. Out of the provision of \$247.2 million for 2010-11, \$146.6 million has been earmarked for the preparation and conduct of the 2010 LegCo by-election. In line with the established practice, an additional \$18 million has been earmarked for holding DC and LegCo by-elections as and when necessary. The percentage of increase is 814.4% when compared to the provision of \$18 million reserved for holding by-elections in 2009-10.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB130**

Question Serial No.

1145

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

- (a) The Government announced earlier that by-elections would be held for geographical constituencies on 16 May this year as a result of the resignation of five Legislative Council (LegCo) members. These five LegCo members handed in their resignation letters to the LegCo Secretariat as early as January 29. However, there is no mentioning of the expenditure of these by-elections to be held for the five geographical constituencies in "Matters Requiring Special Attention in 2010-11". What are the reasons?
- (b) The Secretary for Constitutional and Mainland Affairs, Mr. Stephen Lam, expected that the expenditure of the by-elections for the five geographical constituencies would stand at \$159 million. After deducting such an amount, there will only be about \$80 million of estimated provision left for the Registration and Electoral Office (REO) in 2010-11. Will this affect the operation of the Office?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

- (a) Under "Matters Requiring Special Attention in 2010-11", we have mentioned that the Registration and Electoral Office will continue to provide the Electoral Affairs Commission with administrative support in connection with its work, which includes, amongst other things, the conduct and supervision of by-elections to the Legislative Council and District Councils, if any. Our work relating to the preparation and conduct of the 2010 LegCo by-election is also specifically mentioned under "Analysis of Financial Provision" and "Details of Expenditure by Subhead".

(b) The total estimated expenditure for the 2010 LegCo by-election is \$159 million, of which around \$12 million will be absorbed within the provision for the REO in 2009-10 and \$146.6 million will be incurred in 2010-11. In this regard, \$100.6 million will be provided for the daily operation of the REO, the supervision of the 2011 Village Representative elections and the preparation for the 2011 District Council election and the 2011 Election Committee subsector elections. The provision is considered sufficient for meeting the operational needs.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB131**

Question Serial No.

1555

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-11, a provision of \$150 million has been reserved for the preparation and conduct of the 2010 Legislative Council (LegCo) by-election. Of which, \$10 million will be used as "staff cost" for the creation of "time-limited civil service posts" and recruitment of "non-civil service contract (NCSC) staff". Would the Administration please advise on the number, work nature and recruitment method with respect to the above two types of posts?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

In 2010-11, a provision of \$146.6 million is earmarked for the preparation and conduct of the 2010 LegCo by-election. The Registration and Electoral Office will create around 20 additional time-limited civil service posts to be filled by the respective heads of grades and engage over 260 NCSC staff through open recruitment to assist in the preparation and conduct of the 2010 LegCo by-election. The provision for time-limited civil service posts and NCSC staff in 2010-11 is \$6 million and \$15 million respectively. The major duties of these additional staff are –

- (i) to plan and make detailed logistical arrangements for the conduct of the by-election;
- (ii) to arrange publicity activities for the by-election; and
- (iii) to handle election-related enquiries and complaints, and to compile election report.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB132**

Question Serial No.

1556

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-11, a provision of \$150 million has been reserved for the preparation and conduct of the 2010 Legislative Council by-election. Of which, \$125 million will be used as "Election Expenses". Would the Administration please provide a breakdown of the "Election Expenses" and the spending under each of the expense items?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

In 2010-11, a provision of \$146.6 million is earmarked for the preparation and conduct of the 2010 Legislative Council by-election of which \$ 122.6 million is used as "Election Expenses" with breakdown set out below-

<b>Election Expenses</b>	<b>\$ Million</b>
(1) Honorarium for polling and counting staff	45.6
(2) Electoral arrangements (including hire of venue, acquisition of polling equipment/materials, transportation, etc)	59.3
(3) Postage	17.7
<u>Total</u>	<u>122.6</u>

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB133**

Question Serial No.

1557

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-11, a provision of \$150 million has been reserved for the preparation and conduct of the 2010 Legislative Council (LegCo) by-election. Of which, \$120 million will be used as "Election Expenses". Would the Administration please provide information on the number of employment opportunities expected to be created in connection with the "Election Expenses", the job nature and the amount of allocation involved and how much of it will benefit the underprivileged class?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

In 2010-11, a provision of \$146.6 million is earmarked for the preparation and conduct of the 2010 LegCo by-election, of which \$122.6 million is used as "Election Expenses". As regards the staff cost, the Registration and Electoral Office (REO) will allocate \$15 million to engage over 260 non-civil service contract staff through open recruitment to assist in the preparation and conduct of the 2010 LegCo by-election. The major duties of these additional staff are –

- (i) to plan and make detailed logistical arrangements for the conduct of the by-election;
- (ii) to arrange publicity activities for the by-election; and
- (iii) to handle election-related enquiries and complaints, and to compile election report.

While the implementation of various electoral arrangements by the REO for the 2010 LegCo by-election would require services from various service providers, there is no information on the employment opportunities expected to be created in this respect.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_

TING TSUI Wai-ming, Vivian

Post Title \_\_\_\_\_

Chief Electoral Officer

Date \_\_\_\_\_

17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB134**

Question Serial No.

1558

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000  
Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2010-2011 financial year, \$3 million out of \$150 million earmarked for the preparation and conduct of Legislative Council by-election will be spent on 'publicity'. Will the Administration please provide:

- (a) details of the publicity items and their respective expenditures; and
- (b) the number of jobs created by the 'publicity', the nature of these jobs and the amount of provisions involved. How many of these jobs will benefit the underprivileged class?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

- (a) In 2010-11, a provision of \$146.6 million is earmarked for the preparation and conduct of the 2010 Legislative Council by-election, of which \$3 million is allocated for publicity purpose. The planned publicity items are as follows-

<u>Items</u>	<u>Estimated expenditure (\$M)</u>
Production of publicity materials including Announcements of Public Interest, printing materials, banners and newspaper advertisements	\$2.45
Independent Commission Against Corruption publicity materials	\$0.53
<b>Total:</b>	<b>\$2.98</b>

- (b) While the implementation of the above publicity measures would require services from production houses and relevant service providers, there is no information on the number of jobs expected to be created in this respect.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB135**

Question Serial No.

1559

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

- (a) The expenditure on “publicity” for the 2008 Legislative Council (LegCo) election was \$45 million. Will the Government provide a breakdown of the publicity items and expenses?
- (b) The said amount is 15 times of the expenditure on “publicity” for the 2010 LegCo by-election, which is \$3 million. Will the Government explain why?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

- (a) The publicity campaigns for voter registration (\$15 million) and voter turnout (\$30 million) for the 2008 LegCo election was estimated at \$45 million. The actual expenditure is as follows -

Voter Registration

<u>Items</u>	<u>Expenditure (\$M)</u>
Production of publicity materials including Announcements of Public Interest, printing materials, souvenirs, etc.	2.5
Advertisements on public transport, newspapers and Internet	4.2
Ceremony, shows, radio programmes, voter registration counters, etc.	4.5
<b>Total:</b>	<b>11.2</b>

## Voter Turnout

<u>Items</u>	<u>Expenditure (\$M)</u>
Production of publicity materials including Announcements of Public Interest, printing materials, souvenirs, etc.	5.1
Advertisements on newspapers and Internet	12.2
Briefings, exhibition, ceremony, TV and radio programmes, etc.	8.6
Independent Commission Against Corruption publicity materials	1.5
<b>Total:</b>	<b>27.4</b>

- (b) The scale of the publicity campaign for a LegCo by-election should not be compared directly with that for a LegCo general election which returns 60 members for both the geographical constituencies and functional constituencies. The budget of \$3 million for the 2010 LegCo by-election involving five geographical constituencies is proportionate to that for the 2007 Hong Kong Island Geographical Constituency by-election which costs about \$0.77 million.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB136**

Question Serial No.

2268

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please specify the plans for the promotion and conduct of the voter registration exercise and the expenditure involved in 2010-11. How many new voters are expected to register?

Asked by : Hon. TAM Yiu-chung

Reply :

For the 2010 Voter Registration Campaign, the Registration and Electoral Office (REO) has set a target of 65,000 new registration cases. REO will implement the following measures to appeal to eligible persons to register as electors –

- (1) to appeal to potential electors to register through various publicity measures. These measures include broadcasting Announcements in the Public Interest through television and radio channels during the 2010 Voter Registration Campaign, placement of advertisements in newspapers, display of publicity posters and issue of press releases;
- (2) to appeal to eligible persons visiting the five Registration of Persons Offices of the Immigration Department to register as electors through the registration counters set up at these Offices; and
- (3) to send voter registration forms to various institutions and organizations, including government departments, banks, universities, higher education institutions, youth and elderly centres to facilitate interested persons to register.

Apart from appealing to eligible persons to register as elector, REO will also make use of the above measures to remind / facilitate registered electors who have changed their registration particulars to update their records with REO. In addition, REO will send appeal letters to all households which have recently moved into new private residential housing estates to remind them to report changes in address to REO.

2. Following the enactment of the “Voting by Imprisoned Persons Ordinance” in June 2009, prisoners and persons convicted of election-related or bribery offences etc. are now eligible to be registered as electors. Notices and posters will be displayed at penal institutions to encourage eligible prisoners to register as electors and remind electors who are imprisoned to update their residential addresses.

3. The estimated expenditure in 2010-11 for the promotion and conduct of voter registration campaign and the annual updating of voter registers is \$4.3 million.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB137**

Question Serial No.

2395

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide details of the consultations on policy making and assessment under all programmes in the following format. Using the table below, please provide information on the consultations for which funds had been allocated in 2009-10:

Name / subject of consultation	Revised estimate (\$)	Progress of consultation (under planning/ in progress/ completed)	Mode of consultation (e.g. by means of written submissions, consultation sessions, focus groups), number of consultation exercises, name of organisations and number of people consulted/ to be consulted	The Administration's follow-up actions on the consultation results and the progress made (if applicable)	For consultations already completed, were the results publicised? If so, what were the channels? If not, why not?
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Asked by : Hon. EU Yuet-mee, Audrey

Reply :

The Registration and Electoral Office did not conduct any consultation on policy making and assessment in 2009-10.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB138**

Question Serial No.

2396

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000

Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide details of the consultations on policy making and assessment under all programmes in the following format. Has provision been earmarked for holding consultations in 2010-11? If so, please provide the following details:

Name / subject of consultation	Expenditure (\$)	Progress of consultation (under planning/ in progress/ completed)	Mode of consultation (e.g. by means of written submissions, consultation sessions, focus groups), number of consultation exercises, name of organisations and number of people consulted/ to be consulted	For consultations scheduled for completion in the financial year 2010-11, will the results be publicised? If not, what are the reasons?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

The Registration and Electoral Office has no plan to hold consultation exercises on policy making and assessment in 2010-11.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010

Examination of Estimates of Expenditure 2010-11

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

Reply Serial No.

**CMAB139**

Question Serial No.

3191

Head : 163: Registration and Electoral  
Office

Subhead (No. & title) : 000  
Operational  
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

- (a) Please set out in detail the estimated expenditure to be allocated by the Constitutional and Mainland Affairs Bureau for the conduct of by-elections. What is the breakdown of the expenses involved?
- (b) According to the information provided by the Government earlier, a considerable part of the expenses for the 2010 Legislative Council (LegCo) by-election will be "Election Expenses". Please give details of the expenses involved.

Asked by : Hon. TONG Ka-wah, Ronny

Reply :

- (a) In 2010-11, the Registration and Electoral Office has allocated \$164.6 million for the conduct of by-elections with the breakdown of expenses specified below:

<u>Items</u>	<u>\$ Million</u>
(1) Conduct of the 2010 LegCo by-election	146.6
(2) Conduct of other possible LegCo/District Council (DC) by-elections	18

Item (2) above is the standard provision in the annual Estimates for covering other possible LegCo/DC by-elections in the course of the year.

- (b) The item "Election Expenses" mainly comprises the costs for electoral arrangements such as hire of venue, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing for candidates, printing, operating cost for temporary office, etc.

Signature \_\_\_\_\_

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 17 March 2010