

Legislative Council Panel on Constitutional Affairs

**Medical conditions of Principal Officials and
arrangements made during the temporary absence of
Principal Officials**

Purpose

This paper provides information on the medical conditions of Principal Officials (POs) and arrangements made during temporary absence of POs for Members' reference.

Medical conditions of POs

2. It is the established practice of the Hong Kong Special Administrative Region (HKSAR) Government to give an account to the public of its policy position in respect of various policy portfolios and other important matters, including occasions where POs were unable to perform their duties due to duty visits or taking leave, and the acting arrangements made during their absence.

3. We appreciate the public's concern about the health conditions of POs. The HKSAR Government considers that a clear account has to be given to the public if a PO is unable to perform his or her duties in a certain period of time. The corresponding acting arrangement also has to be made known to the public. However, the medical conditions of individual officials involve privacy considerations, and should be dealt with having regard to the circumstances of each case.

4. As a matter of fact, there have been a number of occasions recently where senior officials of the HKSAR Government have informed the public of their health conditions or that they were unable to perform their duties due to illness. We consider the existing arrangements appropriate.

Arrangements made during the temporary absence of POs

5. Currently, during the absence of a Secretary of Department, arrangement will normally be made for a Director of Bureau to stand in as the acting Secretary¹. This arrangement has been working well.

¹ During the absence of the Secretary for Justice (SJ), the Law Officer concerned will exercise the powers and perform the duties of the SJ, including attending meetings of

6. As for Directors of Bureau, the Government published the “Report on Further Development of the Political Appointment System” in October 2007, which proposed the creation of two additional layers of political appointment positions, namely Under Secretaries and Political Assistants. Approval for the creation of these positions was obtained from the Finance Committee of the Legislative Council (LegCo) in December 2007. As part of their responsibilities, Under Secretaries will deputise for the Directors of Bureau during their absence. This can further enhance the political appointment system.

7. At present, appointments of nine Under Secretaries have been made and they will cover for the respective Directors of Bureau during the latter’s absence². As for the other two bureaux³ in which the position of Under Secretary remains unfilled, in case attendance at a LegCo meeting is required to deal with any business, another Director of Bureau will speak on behalf of the absent Director of Bureau.

8. If acting arrangement has been made for an Under Secretary to stand in as a Director of Bureau, the Under Secretary concerned will perform the duties of the absent Director of Bureau. Depending on the circumstances, the acting Director of Bureau may report to or seek instructions from the absent Director of Bureau. He or she may also report to or seek instructions from the Secretary of Department concerned as and when necessary.

9. In cases where no acting arrangements have been made, the Permanent Secretary concerned may, depending on the circumstances, report to or seek instructions from the absent Director of Bureau. He or she may also report to or seek instructions from the Secretary of Department concerned as and when necessary.

the Legislative Council (LegCo), its committees, subcommittees and panels and speaking on behalf of the Government.

² The Secretary for the Civil Service (SCS) is not provided with a politically appointed Under Secretary or a Political Assistant. During the absence of the SCS, the Permanent Secretary for the Civil Service will exercise the powers and perform the duties of the SCS, including attending meetings of the LegCo, its committees, subcommittees and panels and speaking on behalf of the Government.

³ The Development Bureau and the Labour and Welfare Bureau.

10. During the absence of Directors of Bureau, in accordance with their capacity, the Permanent Secretaries will, irrespective of whether acting arrangements have been made, continue to deal with matters and operations of their respective Bureaux.

11. Overall speaking, we have now in place appropriate arrangements to ensure that during the temporary absence of Secretaries of Department and Directors of Bureau, other officials will exercise their powers and perform their duties as necessary.

Constitutional and Mainland Affairs Bureau
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