

NOTE FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

Forecast of Proposed Creation/Deletion of Directorate Posts in the 2012-13 Legislative Session

This note provides supplementary information on the directorate staffing proposals planned for submission to the Establishment Subcommittee (ESC)/Finance Committee (FC) in the 2012-13 legislative session as forecast in ECI(2012-13)6.

2. In ECI(2012-13)6, we forecast that in the 2012-13 legislative session, the Administration will put forward proposals to create 12 permanent directorate posts and seven supernumerary directorate posts, as well as extend six supernumerary directorate posts. We also forecast that there will be proposals to create two permanent judge and judicial officer directorate posts and one supernumerary directorate post in the Independent Commission Against Corruption. Supplementary information on each of these proposals is provided at Enclosures 1 to 3 in the same order as presented in ECI(2012-13)6.

Encls.
1 - 3

3. The forecast in ECI(2012-13)6 represents the Administration's current assessment only. Bureaux/departments may need to adjust their current plans on staffing requirements in the course of the 2012-13 legislative session as proposals are further refined or as unforeseeable circumstances arise. The directorate staffing proposals that will eventually be submitted to ESC/FC in the 2012-13 legislative session may therefore be different from what is set out in the current forecast.

Forecast of Possible Submissions on Creation/Deletion of Permanent Directorate Posts in the 2012-13 Legislative Session

Bureau/Department/Office

Commerce and Economic Development Bureau

Post(s) proposed to be created/deleted

Creation of one permanent post of Secretary-General of Film Development Council (D2)

Purpose and justification

The purpose of creating the proposed permanent D2 post is to continue to provide directorate support to Head of Create Hong Kong and assist him in mapping out strategies in support of the local film industry and overseeing the related initiatives and support services, following the lapse in mid-November 2013 of a D2-equivalent time-limited non-civil service position under Create Hong Kong (CreateHK). The holder of the permanent post will steer the work of the Film Services Office of CreateHK; support the work of the Film Development Council; assist Head of Create Hong Kong in overseeing the administration and management of all public funds established to promote the development of the film industry; implement Government-initiated measures to revitalise the Hong Kong film industry and support its long-term development; and promote the film industry of Hong Kong.

Panel consultation

We consulted the Legislative Council Panel on Information Technology and Broadcasting on 12 November 2012.

Bureau/Department/Office

Constitutional and Mainland Affairs Bureau

Post(s) proposed to be created/deleted

Creation of one permanent post of Administrative Officer Staff Grade B (D3)

Purpose and justification

The purpose of creating the proposed post is to continue to strengthen the relationship between the HKSAR and the Mainland and to push forward and coordinate the implementation and enhancement of regional cooperation on the Mainland. In this regard, the proposed post is responsible for providing strategic leadership and policy steer in deepening regional cooperation, including maintaining close and senior level liaison with departments of the Central Government and with provincial/municipal governments, with a view to facilitating the implementation of various economic and trade agreements and support policies of the Central Government as well as providing support to Hong Kong people and enterprises on the Mainland.

Panel consultation

We plan to consult the Legislative Council Panel on Commerce and Industry in the first half of 2013.

Bureau/Department/Office

Education Bureau (EDB)

Post(s) proposed to be created/deleted

Creation of one permanent post of Chief Maintenance Surveyor (D1)

Purpose and justification

The proposed post is for administering the operation of in-house teams in the School Premises Maintenance Section in EDB; giving strategic and professional steer on the delivery of maintenance services and school renovation for the implementation of the Government's education policy initiatives; planning and coordinating improvement measures to synergize resources of existing consultants and contractors; planning, coordinating and delivering support strategies and measures; as well as giving strategic steer on the use of existing resources following the recommendations made by the Independent Commission Against Corruption in respect of consultant supervision, quality assurance of maintenance services and submission of documents.

Panel consultation

We consulted the Legislative Council Panel on Education on 12 November 2012.

Bureau/Department/Office

Hong Kong Police Force

Post(s) proposed to be created/deleted

Creation of one permanent post of Chief Superintendent of Police (PPS 55 or D1-equivalent)

Purpose and justification

The holder of the proposed post will serve as the District Commander of Tseung Kwan O (TKO) District upon the upgrading of TKO Division to TKO District. According to the Force Manual of Manning Scales, the District Commander is in general established at the level of Chief Superintendent. Duties of the District Commander include ensuring a high standard of duty performance and discipline from personnel under his command; ensuring effective deployment of District resources to meet requirements; establishing and maintaining sound police-community relations in the District in accordance with the Force directives; controlling traffic on secondary and minor roads through the enforcement of traffic laws in accordance with the current orders; and maintaining close liaison with the District Office and the District Council and other Government representatives in the district.

Panel consultation

We plan to consult the Legislative Council Panel on Security in mid-2013.

Bureau/Department/Office

Housing Department

Post(s) proposed to be created/deleted

Creation of two permanent posts of one Administrative Officer Staff Grade B (AOSGB) (D3) and one Principal Executive Officer (PEO) (D1)

Purpose and justification

The proposed AOSGB post is for overseeing and providing steer on the operation of the Sales of First-hand Residential Properties Authority (SRPA); monitoring the effectiveness of the Residential Properties (First-hand Sales) Ordinance (the Ordinance) in enhancing the transparency, fairness and consumer protection in the sale of first-hand residential properties; providing steer on the issue of additional operational guidelines as and when necessary; assessing the need for reviewing the Ordinance; giving directives and making decisions on controversial and/or complicated cases being handled by SRPA; explaining in the Legislative Council (LegCo) and in public SRPA's decisions and work on important issues or cases of major public concern relating to the work of SRPA; as well as providing steer on public education programmes and publicity strategies of SRPA.

The proposed PEO post is for leading and co-ordinating the work of the Inspection & Investigation Division and the External Affairs & Administration Division of SRPA as well as overseeing the handling of office administration matters; monitoring the implementation of measures for inspection and monitoring functions, and handling of complaints; supervising and reviewing the investigation process, and monitoring the handling of controversial/complicated cases under investigation; formulating and reviewing the prosecution referral policies and strategies; as well as planning and overseeing the execution of public education programmes and the formulation of publicity strategies of SRPA, and monitoring the operation of the Sales of First-hand Residential Properties Electronic Platform.

Panel consultation

We plan to consult the LegCo Panel on Housing on 3 December 2012.

Bureau/Department/Office

Housing Department

Post(s) proposed to be created/deleted

Creation of four permanent posts of one Chief Engineer (Civil) (CE(C)) (D1), one Chief Geotechnical Engineer (CGE) (D1), one Chief Maintenance Surveyor (CMS) (D1) and one Chief Structural Engineer (CSE) (D1)

Purpose and justification

The proposed CE(C) post is for resolving key issues at the directorate level relating to civil engineering works, conducting drainage/sewerage/traffic/environmental engineering impact assessments, providing civil engineering proposals and administering housing-related infrastructure projects under the new Home Ownership Scheme (HOS); formulating and resolving strategic issues, administering engineering feasibility studies for timely provision of housing sites, preparing engineering schemes, coordinating with works departments on the implementation of required infrastructure projects and establishing public consultation strategy, and arranging public engagement in aspects of land supply and site formation; as well as conducting drainage/sewerage/traffic/environmental engineering impact assessments, providing civil engineering proposals, preparing engineering schemes and administering housing-related infrastructure projects in aspects of revitalization/upgrading of aged estates.

The proposed CGE post is for carrying out design, tender, and site supervision of geotechnical investigations and slopeworks in construction contracts; preparing geotechnical submissions; preparing geotechnical reports and providing geotechnical advice to project teams on foundations, slopes and retaining structures, differential ground settlement on reclaimed land, and natural terrain hazard mitigation measures; overseeing the financial control and programming of geotechnical engineering works and services for new HOS projects; as well as providing administrative and technical support at the level of a chief professional to the Estate Management Division and the Independent Checking Unit of the Housing Department (HD), and sharing the responsibilities arising from the new initiatives and challenges in housing development projects.

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The proposed CMS post is for assisting in developing and maintaining an independent building control system and vetting procedures for building works within HD; supervising the processing of submissions for the building addition and alteration works with respect to public housing blocks; supervising the processing of licence application referrals from other departments with respect to commercial, social and educational premises within the Housing Authority (HA) and ex-HA premises; supervising the implementation of the Minor Works Control System, Mandatory Building/Window Inspection Schemes and any other new initiatives adopted by the Buildings Department (BD); as well as supervising the processing of building, site formation, drainage and related submissions of the HA's new projects and projects entrusted to HA and acting as the top authority in the 3-tier approval system.

The proposed CSE post is for assisting in developing and maintaining an independent building control system and vetting procedures for structural works within HD; supervising the processing of submissions for the structural addition and alteration works with respect to public housing blocks; supervising the provision of structural engineering advice for the processing of license application referrals from other departments with respect to commercial, social and educational premises within HA and ex-HA premises; supervising the carrying out of site monitoring check in relevant works sites; supervising the implementation of any new initiatives adopted by BD; as well as supervising the processing of structural engineering, foundation and related submissions of HA's new projects and projects entrusted to HA and acting as the top authority in the 3-tier approval system.

Panel consultation

We plan to consult the Legislative Council Panel on Housing in the first quarter of 2013.

Bureau/Department/Office

Office of the Communications Authority (OFCA)

Post(s) proposed to be created/deleted

Creation of one permanent post of Chief Regulatory Affairs Manager (D1)

Purpose and justification

The purpose of creating the proposed post is to cope with the expanded enforcement duties and increased workload of OFCA arising from the implementation of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 (TDO(A)).

Following the commencement of operation of TDO(A), OFCA, as the executive arm of the Communications Authority, will take up the role of investigation into and enforcement against unfair trade practices relating to the provision of broadcasting and telecommunications services by licensees under the Broadcasting Ordinance and the Telecommunications Ordinance. The enforcement duties of OFCA will be expanded considerably, both in scope and complexity. There is a need to strengthen the directorate support within OFCA in overseeing the implementation and administration of the new consumer protection regime under TDO(A).

Panel consultation

We consulted the Legislative Council Panel on Information Technology and Broadcasting on 12 November 2012.

Bureau/Department/Office

Offices of the Chief Secretary for Administration and the Financial Secretary – Central Policy Unit (CPU)

Post(s) proposed to be created/deleted

Creation of one non-civil service position at D3-equivalent

Purpose and justification

The proposed position is for conducting research on policy issues including Hong Kong's political development, public opinion, the new media and drafting of reports, the Chief Executive's annual Policy Address and other major speeches, as well as liaising with policy bureaux and departments, other Full and Part-time Members of CPU and individuals in the community.

Panel consultation

We consulted the Legislative Council Panel on Public Service on 19 November 2012.

**Forecast of Possible Submissions on Creation/Extension of Supernumerary
Directorate Posts in the 2012-13 Legislative Session**

Bureau/Department/Office

Department of Justice

Post(s) proposed to be created/extended

Creation of one supernumerary post of Deputy Principal Government Counsel (DL2) for two years

Purpose and justification

The proposed post is mainly for undertaking duties and responsibilities for the further promotion and facilitation of the use of mediation to resolve disputes in Hong Kong and also for the further promotion and development of arbitration in Hong Kong. Duties of the proposed post include providing support to the Secretary for Justice (SJ) on the work of a new Steering Committee on Mediation and its Sub-committees in the promotion and facilitation of the wider use of mediation in Hong Kong, preparing papers with recommendations on issues concerning the use of mediation, monitoring the application of the Mediation Ordinance, monitoring the formation and operation of the Hong Kong Mediation Accreditation Association Limited and advising SJ on issues of concern which need be addressed, undertaking the holding of publicity events and other mediation promotion activities, advising the Government on the wider use of mediation in practice, as well as assisting SJ in further promoting initiatives for the development of arbitration in Hong Kong.

Panel consultation

We plan to consult the Legislative Council Panel on Administration of Justice and Legal Services on 22 January 2013.

Bureau/Department/Office

Department of Justice

Post(s) proposed to be created/extended

Creation of one supernumerary post of Deputy Principal Government Counsel (DPGC) (DL2) for around four years and nine months

Purpose and justification

The proposed post is for handling the case ESCC 2530/2012 (HKSAR v HUI Rafael Junior & four others) involving the former Chief Secretary for Administration of the HKSAR Government and some key personnel of listed companies. Duties of the proposed post include providing advice to the law enforcement agency; providing all necessary support to the outside prosecuting counsel at the pre-trial stage and during trial proper; performing a coordinating role between the Government and the outside counsel; preparing the case for trial and handling any residual prosecution-related matters arising from the outcome of the trial.

Panel consultation

We consulted the Legislative Council Panel on Administration of Justice and Legal Services on 30 October 2012, and obtained the endorsement of the Establishment Subcommittee at its meeting on 14 November 2012.

Bureau/Department/Office

Labour Department

Post(s) proposed to be created/extended

Creation of one supernumerary post of Chief Labour Officer (D1) for three years

Purpose and justification

The proposed post is for heading the proposed Working Hours Policy Division; assisting in the formulation of working hours policy; serving as the Secretary and overseeing the secretariat support to the Special Committee on Standard Working Hours (Special Committee); organising public consultations and public awareness and education campaigns conducted by the Special Committee; overseeing further in-depth policy research; mapping out and coordinating critical assessment of the implications of the working hours policy on the overall economy and labour market (particularly the small and medium enterprises); following up the deliberations of the Special Committee; as well as devising plans for and coordinating the implementation of the measures as deliberated. The proposed duration of the post ties in with the initial research and follow up work of the Special Committee.

Panel consultation

We plan to consult the Legislative Council Panel on Manpower on 18 December 2012.

Bureau/Department/Office

Offices of the Chief Secretary for Administration and the Financial Secretary

Post(s) proposed to be created/extended

Creation of two supernumerary posts of one Administrative Officer Staff Grade B (AOSGB) (D3) and one Administrative Officer Staff Grade C (AOSGC) (D2) for four years and three months

Purpose and justification

The proposed AOSGB post, designated as Head/Policy and Project Co-ordination Unit (PPCU), is to provide support to the Chief Secretary for Administration (CS) to enhance cross-bureaux/departmental co-ordination in formulation of policies, strategies and measures, with particular reference to poverty alleviation and population policy; to provide support to the CS in monitoring the progress of cross-bureaux follow-up work to deliver policy pledges; to oversee the provision of secretariat support to the Commission on Poverty (CoP) and the Steering Committee on Population Policy (SCPP) and some of their various Task Forces; to assist CoP and SCPP in reviewing previous research and steering further studies; reviewing existing measures and devising new policy targets, measures and action plans for the short-term, medium-term and long-term; and to assist CoP and SCPP in formulating strategies on public engagement and fostering tripartite partnerships with stakeholders in the business and community sectors and maintaining liaison with other stakeholders.

The proposed AOSGC post is to co-ordinate and prepare policy papers for CoP and SCPP, follow up on their advice and recommendations, and prepare reports on their work; to assist Head/PPCU in monitoring progress in the delivery of various policy initiatives by relevant bureaux and departments relating to population policy and poverty alleviation, and working out practical solutions to problems identified to ensure effective implementation of the measures; to assist Head/PPCU in reviewing the functions and operating mode of various committees, assistance schemes and funds within the Government related to poverty alleviation to identify scope for streamlining and rationalisation to enhance their efficiency in helping the disadvantaged; and to assist CoP and SCPP in its public engagement work and fostering partnership in liaison with the business community, non-government organisations and other relevant parties; as well as to co-ordinate and monitor research, surveys and projects initiated by CoP and SCPP.

The tenure of the above proposed supernumerary posts will be co-terminus with the Fourth Term Government, i.e. until 30 June 2017.

Panel consultation

We consulted the Legislative Council House Committee on 23 November 2012.

Bureau/Department/Office

Offices of the Chief Secretary for Administration and the Financial Secretary – Central Policy Unit

Post(s) proposed to be created/extended

Creation of one supernumerary post of Administrative Officer Staff Grade C (D2) for four years and three months

Purpose and justification

The proposed post is for providing directorate support in mapping out the direction and topics of discussions for Commission on Strategic Development (CSD) with a view to enhancing the long-term international competitiveness and socio-economic development of Hong Kong; undertaking and coordinating cross-sector policy research and analyses and preparing a wide range of important discussion papers on strategic issues; proposing issues and preparing papers for discussion by the CSD; preparing briefs and speeches for the Chairman of the CSD; handling publicity arrangements; providing support to CSD members; overseeing the logistical support for CSD meetings and focussed discussions; as well as overseeing the administration of the CSD Secretariat. The tenure of this post will be co-terminus with the Fourth Term Government, i.e. until 30 June 2017.

Panel consultation

We consulted the Legislative Council Panel on Public Service on 19 November 2012.

Bureau/Department/Office

Offices of the Chief Secretary for Administration and the Financial Secretary – Economic Analysis and Business Facilitation Unit

Post(s) proposed to be created/extended

Creation of one supernumerary post of Principal Economist (D2) for three years

Purpose and justification

The proposed post is for supporting the Government Economist in providing strategic input to various major policy areas; developing appropriate analytical frameworks on specific policy areas, including population, poverty and welfare; and providing analytical support to various high-level committees/commissions chaired by Principal Officials.

Panel consultation

We plan to consult the Legislative Council Panel on Public Service on 17 December 2012.

Bureau/Department/Office

Constitutional and Mainland Affairs Bureau

Post(s) proposed to be created/extended

Extension of one supernumerary post of Administrative Officer Staff Grade C (D2) for three years

Purpose and justification

The existing supernumerary post will lapse on 1 July 2013. The purpose of extending the post is to continue to strengthen the relationship between the HKSAR and the Mainland and to push forward and coordinate the implementation and enhancement of regional cooperation on the Mainland. In this regard, the proposed post will strengthen the directorate support in coordinating matters relating to the deepening of regional cooperation, including maintaining close liaison with departments of the Central Government and with provincial/municipal governments, with a view to facilitating the implementation of various economic and trade agreements and support policies of the Central Government as well as providing support to Hong Kong people and enterprises on the Mainland.

Panel consultation

We plan to consult the Legislative Council Panel on Commerce and Industry in the first half of 2013.

Bureau/Department/Office

Financial Services and the Treasury Bureau

Post(s) proposed to be created/extended

Extension of one supernumerary post of Administrative Officer Staff Grade C (D2) for two years

Purpose and justification

The existing supernumerary post will lapse on 15 October 2013. The post is proposed to be extended to finalise the bill for the establishment of an independent Insurance Authority (IIA) and introduce it into the Legislative Council (LegCo) in the second half of 2013 with a view to establishing IIA in 2015; prepare for the establishment of IIA after passage of the above-mentioned bill; plan and oversee the transition from the existing self-regulatory regime for insurance intermediaries to a statutory licensing regime under the above-mentioned bill; plan and oversee the process of the abolition of the Office of the Commissioner of Insurance upon establishment of IIA; and prepare the draft bill for the establishment of the Policyholders' Protection Fund Scheme.

Panel consultation

We plan to consult the LegCo Panel on Financial Affairs in the first half of 2013.

Bureau/Department/Office

Financial Services and the Treasury Bureau

Post(s) proposed to be created/extended

Extension of one supernumerary post of Administrative Officer Staff Grade C (D2) for one year

Purpose and justification

The existing supernumerary post will lapse on 1 July 2013. With the passage of the Companies Bill in July 2012, we expect the new Companies Ordinance will come into operation by around early 2014. We therefore propose retention of the post for one more year to undertake a series of preparatory work, in particular the remaining legislative exercises involving consequential amendments, as well as to provide policy input to transitional arrangements and implementation matters. In addition, the post will take forward a policy review of the “abscondee” regime (i.e. bankrupts who left Hong Kong and could not be contacted) under the Bankruptcy Ordinance with a view to mapping out the way forward, and assist in the scrutiny of the Trust Law (Amendment) Bill 2013, which will be introduced in the first half of the 2012-13 legislative session.

Panel consultation

We plan to consult the Legislative Council Panel on Financial Affairs in January 2013.

Bureau/Department/Office

Food and Health Bureau (FHB)

Post(s) proposed to be created/extended

Extension of two supernumerary posts of one Administrative Officer Staff Grade B (AOSGB) (D3) and one Administrative Officer Staff Grade C (AOSGC) (D2) for around one year and six months

Purpose and justification

The two existing supernumerary posts will lapse respectively on 14 September and 12 October 2013. The AOSGB post is proposed to be extended to take forward the drafting of the electronic health record (eHR) Bill; introduce the Bill into the Legislative Council (LegCo); draft the Code of Practice (COP) and guidelines; formulate the institutional arrangement for the operation of the eHR Sharing System; devise the enrolment plan of private healthcare providers and healthcare recipients; and coordinate the input and support of the Hospital Authority (HA), Department of Health (DH) and other relevant parties. After the launch of the eHR Sharing System, the post is responsible for overseeing the operation and management of the eHR-Sharing System Operating Body (eHR-OB); enforcing the eHR legislation; providing policy inputs and steer to resolve early stage teething problems; reviewing and adjusting the implementation and publicity strategies to promote participation in eHR sharing; providing steer for the feasibility studies, as well as overseeing the planning, development and implementation of the second stage of the eHR Programme.

The AOSGC post is proposed to be extended to assist in refining the legal, privacy and security framework; drafting of the eHR Bill; handling LegCo related matters; finalising the details for the governance structure and setting up of the eHR-OB; drafting the COP and guidelines; setting up various certification, review and complaint handling mechanisms; and implementing the promotion and publicity plan for the eHR Sharing System. After the launch of the eHR Sharing System, the post will assist in overseeing the operation of the eHR-OB; ensuring alignment of the eHR Sharing System with the Government's overall healthcare policy; enforcing the eHR legislation and relevant statutory duties; managing the financial resources of eHR-OB and the eHR Programme; liaising with HA and DH on policy matters of the eHR; devising the publicity strategy; conducting the feasibility studies and pilot schemes; formulating the development plan for the second stage of the eHR Programme; as well as providing secretariat support to the Steering Committee on eHR Sharing, the eHR Programme Steering Committee and the research board.

/Following

Following completion of the public consultation on the Legal, Privacy and Security Framework for eHR Sharing, FHB reported the outcome to the LegCo Panel on Health Services in June 2012. FHB is proceeding with the drafting of the eHR Bill with a view to introducing it into LegCo in the fourth quarter of 2013 for passage in mid-2014. Subject to the passage of the eHR Bill, eHR-OB will commence enrolment of eHR healthcare recipients and healthcare providers with a view to starting the running of the eHR Sharing System in end 2014. The two supernumerary posts are proposed to be extended up to 31 March 2015 in order to complete these critical tasks in relation to stage one of the Programme. The Administration will review the continued need for the posts in due course when formulating the stage two plan.

Panel consultation

We plan to consult the LegCo Panel on Health Services on 18 March 2013.

Bureau/Department/Office

Security Bureau

Post(s) proposed to be created/extended

Extension of one supernumerary post of Administrative Officer Staff Grade C (D2) for two years

Purpose and justification

The existing supernumerary post will lapse on 17 February 2013. The post is proposed to be retained to provide the Commissioner for Narcotics with the necessary support at the directorate level to combat the problem of drug abuse, in particular to oversee the implementation of a number of major initiatives relating to drug treatment and rehabilitation (T&R) services, as well as drug testing policies and programmes in the next two years. The proposed post is responsible for coordinating and facilitating efforts by residential drug treatment and rehabilitation centres to seek licence under the relevant legislation as well as steering and monitoring a number of service review and re-engineering exercises in T&R services which will proceed in the next two years. In respect of drug testing, the proposed post will be responsible for taking forward matters concerning the formulation of a community-based drug testing scheme, including a public consultation exercise scheduled for mid-2013, as well as the extension of the Healthy School Programme with a drug testing component (HSP(DT)) to those schools which have not implemented HSP(DT). The post is therefore proposed to be retained for two years to allow sufficient time to take forward the above work.

Panel consultation

We consulted the Legislative Council Panel on Security on 6 November 2012.

Forecast of Possible Submissions on Creation/Deletion of Permanent Directorate Posts for Judges and Judicial Officers and Supernumerary Directorate Post in the Independent Commission Against Corruption in the 2012-13 Legislative Session

Bureau/Department/Office

Independent Commission Against Corruption

Post(s) proposed to be created/deleted

Creation of one supernumerary post of Assistant Director, Commission Against Corruption (ICAC Pay Scale Point 46 or D2-equivalent) for two years and six months

Purpose and justification

The proposed post is for spearheading corruption investigations of great sensitivity, exceptional magnitude and complexity and preparation for related criminal proceedings, notably the case ESCC 2530/2012 (HKSAR v HUI Rafael Junior & four others) involving the former Chief Secretary for Administration of the HKSAR Government and some key personnel of listed companies. Duties of the proposed post include actively engaging in conducting enquiries with high-ranking officials of the Government, quasi-government agencies and business entities on major policy issues; liaising with local and overseas law enforcement agencies on investigation-related matters; attending conferences with the Director of Public Prosecutions and Counsel in the prosecution team both locally and overseas on pre-trial preparation; apprising the Senior Directorate of the progress of investigations; and making recommendations to the Senior Directorate in response to issues requiring attention. Defendants of the case were charged on 13 July 2012 and the case was adjourned to 25 January 2013 for mention. According to ICAC's experience and based on a reasonable estimation, ICAC expects that the whole investigation and trial will be completed by June 2015. ICAC therefore proposes to create the post for 30 months.

Panel consultation

ICAC consulted the Legislative Council Panel on Security on 6 November 2012, and obtained the endorsement of the Establishment Subcommittee at its meeting on 14 November 2012.

Bureau/Department/Office

Judiciary

Post(s) proposed to be created/deleted

Creation of two permanent posts of one Judge of the Court of First Instance of the High Court (JSPS 16) and one Deputy Registrar, High Court (JSPS 13)

Purpose and justification

The holder of the proposed Judge of the Court of First Instance of the High Court post will be the President of the Competition Tribunal (the Tribunal). The President will discharge judicial duties which include hearing cases which are within the jurisdiction of the Tribunal, as well as discharging other duties, which include advising the Chief Justice and/or the Chief Judge of the High Court on the development and implementation of policies and practices in relation to the Tribunal (including the making of rules) and giving general directions as to the arrangement of the business of the Tribunal. If time permits, the President will also hear criminal and civil cases which are within the jurisdiction of the Court of First Instance of the High Court.

The holder of the proposed Deputy Registrar, High Court post will assist the President of the Tribunal for the various functions above. For example, the Deputy Registrar will support the making of rules regulating and prescribing the practice and procedure to be followed in the Tribunal, support the preparation of directions as to the arrangement of the business of the Tribunal and assist the Registrar of the Tribunal in listing and case management, etc. If time permits, the Deputy Registrar will also perform the duties of a Deputy Registrar, High Court.

Panel consultation

We plan to consult the Legislative Council Panel on Economic Development on 11 December 2012. Members of the Panel on Administration of Justice and Legal Services will also be invited to the meeting.
