

立法會
Legislative Council

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From : Secretary General
Legislative Council Secretariat

To : All Members of the Legislative Council

**Designation of officials for attendance at meetings
of the Legislative Council, its Committees and Subcommittees**

On 31 December 1998, the Chief Executive signed two instruments to designate officials to attend meetings of the Legislative Council, its Committees and Subcommittees under Article 62(6) of the Basic Law (copies at Annex A). These instruments supersede those signed by the Chief Executive on 26 June 1998.

2. Members may wish to note that in the current instrument designating officials to attend meetings of Committees and Subcommittees of the Legislative Council, the following persons included in the previous instruments dated 26 June 1998 (copies at Annex B) are now excluded :

- (a) The Judiciary Administrator and all directorate officers in the Office of Judiciary;
- (b) The Ombudsman and all directorate officers in the Office of the Ombudsman;
- (c) Chairperson and all directorate officers of the Equal Opportunities Commission;
- (d) Privacy Commissioner for Personal Data, all directorate officers and the Legal Adviser in the office of the Privacy Commissioner for Personal Data;

- (e) The Chief Executive of the Hospital Authority, all deputy directors, all hospital chief executives;
- (f) Chairperson of the Housing Authority; and
- (g) Chairperson and all Executive Directors and the Chief Counsel of the Securities and Futures Commission.

According to the Director of Administration, the Department of Justice has advised that designation under Article 62(6) of the Basic Law should only include persons who are members of the Administration and responsible persons of statutory bodies should not be designated to speak on behalf of government. The designation of officials under Article 62(6) of the Basic Law has therefore been revised accordingly.

(Ricky C C Fung)
Secretary General

Encls.

BASIC LAW, ARTICLE 62(6)

**DESIGNATION OF OFFICIALS FOR ATTENDANCE
AT MEETINGS OF THE LEGISLATIVE COUNCIL,
ITS COMMITTEES AND SUBCOMMITTEES**

By virtue of the power vested in the Government of the Hong Kong Special Administrative Region by Article 62(6) of the Basic Law, I, TUNG CHEE-HWA, Chief Executive of the Hong Kong Special Administrative Region, being the Head of the said Government and acting in its name and on its behalf, hereby designate generally the officials who from time to time either substantively occupy or act in the posts specified in the schedule below to attend meetings of the Legislative Council, or of any committee or subcommittee thereof, and to speak thereat on behalf of the said Government, as and when it may appear necessary or expedient to any such officials for the due and proper discharge of the responsibilities attaching to his office or as I may from time to time direct.

This designation shall take effect on the date hereof and continue in force, unless earlier revoked by me, until the earlier of such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

This designation supersedes all previous designations for attendance of meetings of the Legislative Council, its committees and subcommittees.

(TUNG CHEE-HWA)
CHIEF EXECUTIVE

Date 31 December 1998

SCHEDULE

The Chief Secretary for Administration
The Secretary for Justice
The Financial Secretary
All Government Secretariat Secretaries

BASIC LAW, ARTICLE 62(6)

**DESIGNATION OF OFFICIALS FOR ATTENDANCE
AT MEETINGS OF COMMITTEES AND SUBCOMMITTEES
OF THE LEGISLATIVE COUNCIL**

By virtue of the power vested in the Government of the Hong Kong Special Administrative Region by Article 62(6) of the Basic Law, I, TUNG CHEE-HWA, Chief Executive of the Hong Kong Special Administrative Region, being the Head of the said Government and acting in its name and on its behalf, hereby designate generally the officials who from time to time either substantively occupy or act in the posts specified in Schedule 1 below to attend meetings of committees and subcommittees of the Legislative Council and to speak thereat on behalf of the said Government (but not at meetings of the Legislative Council itself unless specifically designated so to do by me) as and when directed to do so either by me or by some other officials whom I hereafter authorise.

This designation shall take effect on the date hereof and continue in force, unless earlier revoked by me, until the earlier of such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

With effect from the aforementioned date I hereby authorise the officials who from time to time either substantially occupy or act in the posts specified in Schedule 2 below to direct any official who has been designated by me by virtue of this instrument to attend such meetings of any committee or subcommittee of the Legislative Council as any of the first-mentioned officials may from time to time consider necessary or expedient. This authorisation shall remain in force, unless earlier revoked by me, until such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

This designation supersedes all previous designations and authorisations for attendance at meetings of committees and subcommittees of the Legislative Council.

(TUNG CHEE-HWA)
CHIEF EXECUTIVE

Date 31 December 1998

SCHEDULE 1

Designated officials

1. All directorate officers
2. And without prejudice to the generality of item 1 above, the following specific categories of officials --
 - (a) Officials at the ranks of Assistant Secretary, Principal Assistant Secretary and Deputy Secretary in the Government Secretariat; and
 - (b) Officials at the ranks of Government Counsel, Senior Government Counsel, Deputy Principal Government Counsel, Principal Government Counsel and Law Officer in the Department of Justice.
3. The Commissioner, Independent Commission Against Corruption and all directorate officers in the Office of the Independent Commission Against Corruption.
4. The Chief Executive and all Heads of Division or above of the Hong Kong Monetary Authority.

SCHEDULE 2

**Officials authorised by the Chief Executive
to direct designated officials to attend meetings
of committees and subcommittees of the Legislative Council**

The Chief Secretary for Administration

The Secretary for Justice

The Financial Secretary

All Government Secretariat Secretaries

All Heads of Departments or Agencies

The Commissioner, Independent Commission Against Corruption

The Chief Executive of the Hong Kong Monetary Authority

BASIC LAW, ARTICLE 62(6)

**DESIGNATION OF PUBLIC OFFICERS FOR ATTENDANCE
AT MEETINGS OF THE LEGISLATIVE COUNCIL,
ITS COMMITTEES AND SUBCOMMITTEES**

By virtue of the power vested in the Government of the Hong Kong Special Administrative Region by Article 62(6) of the Basic Law, I, TUNG CHEE-HWA, Chief Executive of the Hong Kong Special Administrative Region, being the Head of the said Government and acting in its name and on its behalf, hereby designate generally the public officers who from time to time either substantively occupy or act in the posts specified in the schedule below to attend meetings of the Legislative Council, or of any committee or subcommittee thereof, and to speak thereat on behalf of the said Government, as and when it may appear necessary or expedient to any such officer for the due and proper discharge of the responsibilities attaching to his office or as I may from time to time direct.

This designation shall take effect on 1 July 1998 and continue in force, unless earlier revoked by me, until the earlier of such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

(TUNG CHEE-HWA)
CHIEF EXECUTIVE

Date 26 June 1998

SCHEDULE

The Chief Secretary for Administration
The Secretary for Justice
The Financial Secretary
All Government Secretariat Secretaries

BASIC LAW, ARTICLE 62(6)

**DESIGNATION OF PUBLIC OFFICERS FOR ATTENDANCE
AT MEETINGS OF COMMITTEES AND SUBCOMMITTEES
OF THE LEGISLATIVE COUNCIL**

By virtue of the power vested in the Government of the Hong Kong Special Administrative Region by Article 62(6) of the Basic Law, I, TUNG CHEE-HWA, Chief Executive of the Hong Kong Special Administrative Region, being the Head of the said Government and acting in its name and on its behalf, hereby designate generally the public officers who from time to time either substantively occupy or act in the posts specified in Schedule 1 below to attend meetings of committees and subcommittees of the Legislative Council and to speak thereat on behalf of the said Government (but not at meetings of the Legislative Council itself unless specifically designated so to do by me) as and when directed to do so either by me or by some other public officers whom I hereafter authorise.

This designation shall take effect on 1 July 1998 and continue in force, unless earlier revoked by me, until the earlier of such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

With effect from the aforementioned date I hereby authorise the public officers specified in Schedule 2 below to direct any public officer who has been designated by me by virtue of this instrument to attend such meetings of any committee or subcommittee of the Legislative Council as any of the first-mentioned public officers may from time to time consider necessary or expedient. This authorisation shall remain in force, unless earlier revoked by me, until such date as the term of office of the Legislative Council shall end or of such date as the Council shall be dissolved pursuant to Article 50 of the Basic Law.

(TUNG CHEE-HWA)
CHIEF EXECUTIVE

Date 26 June 1998

SCHEDULE 1

Designated public officers

1. All directorate officers
2. And without prejudice to the generality of item 1 above, the following specific categories of public officers --
 - (a) Officers at the ranks of Assistant Secretary, Principal Assistant Secretary and Deputy Secretary in the Government Secretariat; and
 - (b) Officers at the ranks of Government Counsel, Senior Government Counsel, Assistant Principal Government Counsel, Deputy Principal Government Counsel, Principal Government Counsel and Law Officer in the Department of Justice.
3. The Judiciary Administrator and all directorate officers in the Office of Judiciary.
4. The Commissioner, Independent Commission Against Corruption and all directorate officers in the Office of the Independent Commission Against Corruption.
5. The Ombudsman and all directorate officers in the Office of the Ombudsman.
6. Chairperson and all directorate officers of the Equal Opportunities Commission.
7. The Chief Executive and all Heads of Division or above of the Hong Kong Monetary Authority.
8. Privacy Commissioner for Personal Data, all directorate officers and the Legal Adviser in the office of the Privacy Commissioner for Personal Data.
9. The Chief Executive of the Hospital Authority, all deputy directors, all hospital chief executives.
10. Chairperson of the Housing Authority.
11. Chairperson and all Executive Directors and the Chief Counsel of the Securities and Futures Commission.

SCHEDULE 2

**Public officials authorised by the Chief Executive
to direct designated public officers to attend meetings
of committees and subcommittees of the Legislative Council**

The Chief Secretary for Administration

The Secretary for Justice

The Financial Secretary

All Government Secretariat Secretaries

All Heads of Departments or Agencies

The Judiciary Administrator

The Commissioner, Independent Commission Against Corruption

The Ombudsman

Chairperson of the Equal Opportunities Commission

The Chief Executive of the Hong Kong Monetary Authority

Privacy Commissioner for Personal Data

The Chief Executive of the Hospital Authority

Chairperson of the Securities and Futures Commission