

**Replies to initial written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2003-04**

**[Controlling Officer : Director of Administration/Director of Legal Aid]
[Session No. : 13] [File name : CSO-e3.doc]**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
CSO001	0124	HO Sau-lan, Cyd	142	Efficiency Unit Government Records Service CSO-Administration Wing
CSO002	0235	LAU Ping-cheung	142	Efficiency Unit CSO-Administration Wing
CSO003	0236	LAU Ping-cheung	142	Efficiency Unit
CSO004	0419	CHAN Bernard	142	CSO-Administration Wing
CSO005	0607	IP Kwok-him	142	Protocol Division
CSO006	0615	IP Kwok-him	142	CSO-Administration Wing
CSO007	0787	CHAN Wai-yip, Albert	142	Efficiency Unit
CSO008	0829	LEUNG LAU Yau-fun, Sophie	142	Efficiency Unit CSO-Administration Wing
CSO009	0838	LEUNG Yiu-chung	142	CSO-Administration Wing
CSO010	0878	TANG Siu-tong	142	Efficiency Unit
CSO011	1205	CHAN Yuen-han	142	CSO-Administration Wing
CSO012	1206	CHAN Yuen-han	142	CSO-Administration Wing
CSO013	1286	LEE Cheuk-yan	142	
CSO014	1336	HO Sau-lan, Cyd	142	Government Records Service
CSO015	1337	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO016	1338	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO017	1339	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO018	1340	HO Sau-lan, Cyd	142	Protocol Division
CSO019	1341	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO020	1342	HO Sau-lan, Cyd	142	CSO-Administration Wing
CSO021	0864	NG Margaret	176	
CSO022	0123	HO Sau-lan, Cyd	94	
CSO023	0596	SHEK Lai-him, Abraham	94	Litigation Services
CSO024	0597	SHEK Lai-him, Abraham	94	Litigation Services
CSO025	0753	LAU Hon-chuen, Ambrose	94	Processing of Legal Aid Applications
CSO026	0754	LAU Hon-chuen, Ambrose	94	Litigation Services
CSO027	0755	LAU Hon-chuen, Ambrose	94	Litigation Services
CSO028	0756	LAU Hon-chuen, Ambrose	94	Litigation Services
CSO029	0861	NG Margaret	94	Processing of Legal Aid Applications
CSO030	0863	NG Margaret	94	Litigation Services

CSO031	0865	NG Margaret	94	Processing of Legal Aid Applications
CSO032	0866	NG Margaret	94	Processing of Legal Aid Applications
CSO033	0867	NG Margaret	94	Processing of Legal Aid Applications
CSO034	0868	NG Margaret	94	Processing of Legal Aid Applications
CSO035	0962	TSANG Yok-sing, Jasper	94	Processing of Legal Aid Applications
CSO036	1150	EU Yuet-mee, Audrey	94	Litigation Services
CSO037	1236	IP Kwok-him	94	Processing of Legal Aid Applications
CSO038	1237	IP Kwok-him	94	Processing of Legal Aid Applications Litigation Services
CSO039	1306	LEE Cheuk-yan	94	
CSO040	1324	LEE Cheuk-yan	94	Processing of Legal Aid Applications
CSO041	1358	HO Sau-lan, Cyd	94	Processing of Legal Aid Applications Support Services
CSO042	1359	HO Sau-lan, Cyd	94	Processing of Legal Aid Applications Support Services
CSO043	1360	HO Sau-lan, Cyd	94	Processing of Legal Aid Applications Support Services

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO001

Question Serial No.

0124

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit
(2) Government Records Service
(3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Regarding consultancy studies for policy making and assessment (if any) commissioned by the above bureau, please provide details in the following format:

- (1) Please provide the following details on the consultancy studies for which financial provision has been allocated respectively in 2001-02 and 2002-03:

Name of consultants (if available)	Description	Consultancy fees	Progress on consultancy studies (planning/ in progress/ completed)	The Administration's follow-up action on the study reports and the progress made	Reasons for no follow-up action on the study reports and whether other measures are available to deal with the subjects under study

- (2) Please provide the following details on the consultancy studies for which financial provision has not been allocated respectively in 2001-02 and 2002-03, though consultancy studies have been made during the year:

Name of consultants (if available)	Description	Consultancy fees	Progress on consultancy studies (planning/ in progress/ completed)	The Administration's follow-up action on the study reports and the progress made	Reasons for no follow-up action on the study reports and whether other measures are available to deal with the subjects under study

(3) Has financial provision been allocated for commissioning consultancy studies in 2003-04? If yes, please provide the following details.

Name of consultants (if available)	Description	Consultancy fees	Status of consultancy studies (planning/in progress/completed)

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The details of financial provision allocated for consultancy studies for policy making and assessment are as follows:

(1) studies for which financial provision has been allocated respectively in 2001-02 and 2002-03

Name of consultants (if available)	Description	Consultancy fees*	Progress on consultancy studies (planning/in progress/completed)	The Administration's follow-up action on the study reports and the progress made	Reasons for no follow-up action on the study reports and whether other measures are available to deal with the subjects under study
Mr John McDonald	Consultancy services on electronic records management	\$0.115m in 2001-02 and \$0.338m in 2002-03	Completed	A guideline on the management of email records was issued. We are also working on a guideline on the management of electronic records and considering how the other longer term recommendations should be taken forward.	-
Hay Group Limited	Consultancy study on the remuneration packages of senior management staff of statutory and other bodies	\$2.083m in 2002-03	Completed	We publicized the findings and recommendations of the consultancy study in June 2002 and invited the relevant bodies to report to the responsible Bureaux the outcome of their deliberations and the implementation of the relevant recommendations in six months.	-

Environmental Resources Management – Hong Kong Limited	Study on terrestrial habitat mapping and ranking based on conservation value	\$0.626m in 2002-03	In progress	The study findings would be used for reviewing the baseline data contained in the computer tool for sustainability assessment purpose.	-
Ove Arup & Partners	Survey on monitoring of non-transport related noise pollution	\$0.12m in 2002-03	Completed	The survey findings would be used for reviewing the baseline data contained in the computer tool for sustainability assessment purpose.	-
Hong Kong Policy Research Institute Limited	Study on socio-economic-political development trends in the Mainland	\$0.64m in 2001-02	Completed	The Central Policy Unit (CPU) has taken the reports into account.	-
One Country Two Systems Research Institute Limited	Study on socio-economic-political development trends in the Mainland	\$1.655m in 2001-02 and \$1.467m in 2002-03	Completed	The CPU has taken the reports into account.	-
Centre of Asian Studies, University of Hong Kong	Study on socio-economic-political development trends in South East Asia	\$2.04m in 2001-02 and \$2.04m in 2002-03	Completed	The CPU has taken the reports into account.	-
PolyU Technology and Consultancy Company Limited	Study on socio - economic-political development trends in Japan and South Korea	\$1.1m in 2001-02 and \$0.975m in 2002-03	Completed	The CPU has taken the reports into account.	-
Goblin / Harris Forrest	The role of companies in the development of a vibrant third sector in Hong Kong	\$0.14m in 2001-02	Completed	The CPU has noted findings for its broader study on the third sector.	-

One Country Two Systems Research Institute Limited	Study on the socio-economic impact of 24-hour operation of boundary control points	\$0.259m in 2001-02 and \$1.036m in 2002-03	Completed	24-hour operation of Lok Ma Chau boundary control point was implemented in January 2003.	-
MDR Technology Limited	Consultancy services for conducting a household survey on 24-hour passenger clearance at land boundary control points	\$0.9m in 2001-02 and \$0.395m in 2002-03	Completed	24-hour operation of Lok Ma Chau boundary control point was implemented in January 2003.	-
Centre for Cultural Policy Research, University of Hong Kong	Consultancy study on a baseline study on Hong Kong's creative industries	\$0.65m in 2002-03	In progress	-	-
Hong Kong Policy Research Institute Limited	Study on socio-economic-political trends in Taiwan, cross-straits relations and Hong Kong-Taiwan relations	\$0.267m in 2002-03	In progress	-	-
Centre of Asian Studies, University of Hong Kong	Study on socio-economic-political development trends in Southeast Asia on Singapore, Malaysia, Thailand	\$0.195m in 2002-03	In progress	-	-
One Country Two Systems Research Institute Limited	Study for socio-economic-political trends in Japan and South Korea	\$0.118m in 2002-03	In progress	-	-

One Country Two Systems Research Institute Limited	Study for socio-economic-political trends in the Mainland (with particular emphasis on Guangdong Province)	\$0.129m in 2002-03	In progress	-	-
Pricewaterhouse Coopers Consultants Hong Kong Limited	Study on a public private partnership (PPP) approach for the design, construction and operation of a new headquarters and studio complex for the Radio Television Hong Kong (RTHK)	\$2.704m in 2001-02	Completed	A modified commissioning approach will be taken having drawn on the findings of the PPP scoping study.	The lack of a successful broadcasting industry example both locally and overseas makes us doubtful of the suitability of adopting a PPP approach for this project. Nevertheless, the study has provided the basic parameters for adopting a modified approach. The RTHK and Architectural Services Department are finalising the commissioning proposal and will consult the Legislative Council once ready.

Pricewaterhouse Coopers Consultants Hong Kong Limited	Study to identify opportunities for a one-stop shop approach to trade facilitation and assistance to small and medium sized enterprises	\$0.329m in 2001-02	Completed	The study has shed some light on the way forward for developing a one-stop shop approach for business licensing. Considerations are given: <ul style="list-style-type: none"> – to develop an automated workflow technology for food licensing operations, which if tested, may have scope for broader application to other licensing activities; – to develop a licensing portal; and – to re-visit the licensing authority concept. 	-
Pricewaterhouse Coopers Corporate Finance Limited	Study to examine the possibility of a public private partnership for the reprovisioning of the Sha Tin Water Treatment Works	\$0.315m in 2001-02	Completed	For the in-situ reprovisioning of the Sha Tin Treatment Works project, the Water Services Department is planning to seek funds in early 2004 and towards the end of 2005 for conducting detailed design for Stage 1 works and for the construction works respectively. Work is being done on a range of issues to prepare for the funding request.	-

(2) studies for which financial provision has not been allocated respectively in 2001-02 and 2002-03, though consultancy studies have been made during the year

Name of consultants (if available)	Description	Consultancy fees*	Progress on consultancy studies (planning/ in progress/ completed)	The Administration's follow-up action on the study reports and the progress made	Reasons for no follow-up action on the study reports and whether other measures are available to deal with the subjects under study
Hong Kong Policy Research Institute Limited	Implications/ impact of Taiwan's political and economic developments on Hong Kong	\$0.308m in 2001-02 and \$0.922m in 2002-03	Completed	The CPU has taken the reports into account.	-

(3) studies for which financial provision has been allocated in 2003-04

Name of consultants (if available)	Description	Consultancy fees*	Status of consultancy studies (planning/in progress/completed)
Environmental Resources Management – Hong Kong Limited	Study on terrestrial habitat mapping and ranking based on conservation value (continuation of study in (1))	0.417m	In progress
Centre for Cultural Policy Research, University of Hong Kong	Consultancy study on a baseline study on Hong Kong's creative industries (continuation of study in (1))	0.65m	In progress
Hong Kong Policy Research Institute Limited	Study on socio-economic-political trends in Taiwan, cross-straits relations and Hong Kong-Taiwan relations (continuation of study in (1))	0.802m	In progress
Centre of Asian Studies, University of Hong Kong	Study on socio-economic-political development trends in Southeast Asia on Singapore, Malaysia, Thailand (continuation of study in (1))	1.105m	In progress
One Country Two Systems Research Institute Limited	Study for socio-economic-political trends in Japan and South Korea (continuation of study in (1))	1.063m	In progress

One Country Two Systems Research Institute Limited	Study for socio- economic-political trends in the Mainland (with particular emphasis on Guangdong Province) (continuation of study in (1))	1.163m	In progress
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In addition, we have included in the 2003-04 draft Estimates provision of \$3.661 million for studies on sustainable development and \$4 million for the Efficiency Unit to conduct studies related to transfer of public services respectively. Details of studies are still being planned.

* estimated figures for 2002-03 and 2003-04.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO002

Question Serial No.

0235

Head: 142 – Government Subhead(No. & title): 700 General other non-
Secretariat: Offices of the recurrent
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit
(3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Item 047 “Seminars on private sector involvement” and Item 048 “Consultancy studies and public consultation on sustainable development”, both under Subhead 700, have not incurred any expenses. Could the Administration inform us of the progress together with details regarding the implementation of these two projects?

Asked by: Hon. LAU Ping-cheung

Reply:

For Item 047, the Efficiency Unit has been successful in generating interest within the private sector which held a number of seminars on public private partnerships (PPP) and formed some PPP special interest groups during the past year. Given this success it considered that the public funds would be better spent on seminar(s) to promote and assist the implementation of PPP projects. This is planned for the 2003-04 financial year.

For Item 048, as the subject of sustainable development affects all sectors in society, we consider it necessary to consult the Council for Sustainable Development, upon its operation, with a view to conducting studies and public consultation to gauge views and build consensus on Hong Kong's long term sustainability. A non-recurrent commitment of \$2.9 million has been earmarked for this process.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
 INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO003

Question Serial No.

0236

Head: 142 – Government Subhead(No. & title):
 Secretariat: Offices of the
 Chief Secretary for
 Administration and the
 Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

For this programme, the actual expenditure in 2001-02 was \$34,000,000, the originally approved expenditure and the revised expenditure for 2002-03 were \$69,400,000 and \$87,000,000 respectively, and the estimated expenditure for 2003-04 stands at \$126,100,000. In this connection, will the Administration please inform this Council of the changes in establishment under this programme between the years 2001-02 and 2003-04?

Asked by: Hon. LAU Ping-cheung

Reply:

The changes in establishment under Programme (1) Efficiency Unit from 2001-02 to 2003-04 are set out in the following table:

Position as at	Establishment	Reasons for the change as compared with the previous year
31 March 2002	18	-
31 March 2003 (Revised Estimate)	115	<ul style="list-style-type: none"> • Increase of 75 posts upon the integration of the former Management Services Agency (MSA) into the Efficiency Unit. These 75 posts were offset by the deletion of 89 posts in the former MSA. • Increase of 22 posts for the following purposes, when required: <ul style="list-style-type: none"> (a) 20 posts to accommodate civil servants transferred from departments to the integrated call centre upon taking over of call handling functions from these departments. These posts, when created, will be offset by the deletion of posts from the departments concerned; and (b) 2 short-term posts required for ad hoc projects.
31 March 2004 (Estimate)	115	-

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO004

Question Serial No.

0419

Head: 142 – Government Subhead(No. & title): 000 Operational expenses
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Provision of remuneration for special appointments was \$12,904,000 in 2001-02 but the revised estimate for the item soared to \$47,387,000 in 2002-03. What are the reasons for the increase?

Asked by: Hon. CHAN Bernard

Reply:

The revised estimate for remuneration for special appointments for 2002-03 is \$34.483 million higher than the actual expenditure for 2001-02. This is mainly due to the charging of remuneration of the Principal Officials appointed under the accountability system, except the Secretary for Justice, to this item under Head 142 as an interim arrangement. From 2003-04 onward, the remuneration of the 11 Directors of Bureaux will be charged to the respective bureaux.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO005

Question Serial No.

0607

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (4) Protocol Division

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

In regard to the coordination of visits to the HKSAR by national leaders and overseas senior officials, will the Administration inform this Council of:

- (a) the number of visits to the HKSAR by national leaders and overseas senior officials received by the Protocol Division over the past three years, and the estimated number of and the reasons for such visits in 2003-04;
- (b) the provision for the above task in 2003-04 and the items of expenditure; and
- (c) the reason for a 1% increase in estimated expenditure incurred by salary increments for staff in 2003-04?

Asked by: Hon. IP Kwok-him

Reply:

- (a) The Protocol Division received a total of 280 visits to the HKSAR by national leaders and overseas senior officials over the past three years (106 in 2000-01, 76 in 2001-02 and 98 in 2002-03). Based on past experience, the number of such visits in 2003-04 is estimated to be in the region of 100. The purposes of these visits are normally related to the promotion of bilateral trade and relations, signing of bilateral agreements, and attendance of major events, international conferences and forums, etc.
- (b) For budget planning purpose, the estimated expenditure for 2003-04 in respect of activities for national leaders and overseas senior officials visiting Hong Kong is \$8.5 million. The items of expenditure cover hotel accommodation, transportation and programme arrangements. The amount of financial provision varies from one visit to another, depending on the status and security requirements of the principal visitor, the length of stay and the size of the delegation, etc.
- (c) Provision for the Protocol Division in 2003-04 is increased by 1% as compared to the revised estimate for 2002-03. Salary increments for staff accounts for approximately one-seventh of the overall 1% increase. The increase is also partly due to lower-than-expected spending in departmental expenses in 2002-03.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO006

Question Serial No.

0615

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

With regard to the coordination and preparation for the development project at Tamar, and the tendering of the design contract, will the Administration inform this Council:

- (a) the arrangements for the relevant work, including the tender timetable; and
- (b) the provision for the above purpose for 2003-04 with detailed breakdown?

Asked by: Hon. IP Kwok-him

Reply:

- (a) We have set up an inter-departmental Steering Committee under the chairmanship of the Director of Administration since May 2002 to oversee the preparation and implementation of the Tamar project. We have also set up a Special Selection Board under the chairmanship of the Chief Secretary for Administration with two Legislative Council Members, two senior government officials and a professor in architecture as members to assess applications for prequalification, select tenders and decide on the award of the contract. The schedule of implementation of the project is set out below:

Finalisation of user requirements and preparation of tender document	1 st Quarter, 2003
Formal submission to the Public Works Sub-committee and Finance Committee	2 nd Quarter, 2003
Commencement of invitation of tenders	2 nd Quarter, 2003
Closing of tender period	3 rd Quarter, 2003
Evaluation and selection of tenders	3 rd /4 th Quarter, 2003
Preparation of contract documents and if necessary, submission to Town Planning Board	4 th Quarter, 2003
Contract Period	early 2004 – 2007

- (b) On the Establishment Sub-committee's and the Finance Committee's approval, one post of Administrative Officer Staff Grade C (supported by one Chief Executive Officer, one Executive Officer I and two personal secretaries) was created in January 2003 on a supernumerary basis for a period of two years to coordinate and monitor the implementation of the project. The salary provision for the post for 2003-04 is \$1.5 million. The four non-directorate posts underpinning the post are internally redeployed from within the Administration Wing and hence have no additional financial implications. As for the capital cost of the project, we shall be seeking the Finance Committee's approval for upgrading the project to Category A in the 2nd Quarter of 2003.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO007

Question Serial No.

0787

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Under Programme (1) Efficiency Unit, the financial provision for the Efficiency Unit has seen increases for consecutive years. The financial provision (estimate) for the Unit for 2003-04 will even be increased by 44.9%. Why is there an increased financial provision for the Efficiency Unit while various departments are experiencing cutbacks in financial provision? Does the Administration have any key projects that call for an enormous increase in provision? How is the effectiveness of the Efficiency Unit assessed? How can the Administration follow up to see if a department has implemented changes on the Unit's recommendations?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

Provision for the Efficiency Unit for 2003-04 is \$39.1 million (44.9%) higher than the revised estimate for 2002-03. This is attributable to the following:

- (a) \$18.4 million of the increase being full-year effect of the integration of the former Management Services Agency and its staff into the Efficiency Unit. It should be noted that with the integration, there was a net deletion of 14 posts and a net annual savings of \$7.7 million already delivered to the centre;
- (b) \$13 million being additional staffing, system enhancement and maintenance, and other operating expenses to be incurred by the integrated call centre when it takes over the call handling functions from additional departments;
- (c) \$6.3 million being cashflow adjustment of capital non-works projects, including consultancy studies and seminars, etc.; and
- (d) \$1.4 million being salary increments and full-year provision for posts created and vacancies filled.

The aim of the Efficiency Unit is to promote a measurable transformation in the management and delivery of public services. In pursuing this aim, the Unit seeks to provide bureaux and departments with high quality management consultancy services that identify opportunities for performance enhancement, design practical solutions, develop compelling cases, and secure effective implementation. The ultimate measure of the effectiveness of the Unit is evidence that there is an active investigation of opportunities and a programme of proposals being developed and implemented to improve productivity, service quality and operational efficiency, and an increased awareness and support for change.

In 2002-03, we have assisted bureaux and departments in furthering the private sector involvement programme, re-engineering their business processes and mode of service delivery, and improving management flexibility. Recent research shows that the number of outsourcing contracts is increasing within the Government and there is a strong commitment to improving the contract specifications in order to provide better value for money. We have been supporting the development of public private partnership approaches to the delivery of new facilities and services, and this will be one of our priority areas for 2003-04.

For the effective monitoring of the progress of these projects and initiatives, the Efficiency Unit has developed a progress report system which tracks the updated position of all projects, including the implementation of recommendations. The Efficiency Unit will also bring up cases which are not seen to be progressing at a satisfactory pace with a view to helping the bureaux or departments concerned iron out any problems.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO008

Question Serial No.

0829

Head: 142 – Government Subhead(No. & title): 838 Minor consultancy
Secretariat: Offices of the studies (block vote)
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit
(3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Provision of \$14,555,000 under Subhead 838 is “for the Administration Wing, the Central Policy Unit and the Efficiency Unit to conduct minor consultancy studies on a wide variety of policy issues and issues related to transfer of public services”. Please provide detailed information on the issues to be studied, the fees involved and the anticipated dates of completion.

Asked by: Hon. LEUNG LAU Yau-fun, Sophie

Reply:

We have included in the 2003-04 draft Estimates under Subhead 838 Minor consultancy studies (block vote) provision of \$10.555 million for the Central Policy Unit (CPU) and \$4 million for the Efficiency Unit (EU) to conduct a number of studies on cross-bureaux policy issues, and transfer of public services respectively. The provision includes the payment of \$4.348 million for the following studies of the CPU that have started in 2002-03 and will continue in 2003-04:

Issues to be studied	Fees Involved (\$m)	Anticipated Dates of Completion
Study on socio-economic-political trends in Taiwan, cross-straits relations and Hong Kong-Taiwan relations	0.802	December 2003
Study on socio-economic-political development trends in Japan and South Korea	1.063	February 2004
Study for socio-economic-political development trends in Southeast Asia on Singapore, Malaysia, Thailand	1.105	January 2004
Consultancy study on a baseline study on Hong Kong's creative industries	0.650	mid-2003
Consultancy study on the external relations strategy of the HKSAR Government	0.568	May 2003
Fact-finding study on the third sector landscape in Hong Kong	0.160	mid-2003

Details of the other studies of the CPU or the EU are still being planned.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO009

Question Serial No.

0838

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Does the provision for the centralised support for common services and accommodation for the Government Secretariat under the above programme in 2003-04 cover resources for regulating demonstrations by members of the public within the premises of the Government Secretariat? If yes, what are the resources involved and the legal basis for effecting regulation? What are the code of practice and guidelines governing such work?

Asked by: Hon. LEUNG Yiu-chung

Reply:

Guarding and security services for the Central Government Offices (CGO) complex are covered under the centralised support for common services and accommodation for the Government Secretariat. There is no specific provision for regulating demonstrations or public activities by members of the public.

The CGO complex is not a public place. Access to it is permitted only with the prior consent of the Director of Administration as the party responsible for managing the premises. We have issued guidelines for members of the public to seek permission to use the CGO compound for public meetings, and details can be obtained from the Administration Wing, the police stations or downloaded from the Administration Wing's website at <http://www.info.gov.hk/admwing>.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

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

Reply Serial No.

CSO010

Question Serial No.

0878

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (1) Efficiency Unit

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

What important reform initiatives did the Efficiency Unit take part in during 2002-03? What were the results? What reform initiatives will the Unit implement in a progressive approach in 2003-04?

Asked by: Hon. TANG Siu-tong

Reply:

The fundamental task of the Efficiency Unit is to pursue the Government's commitment to transforming the management and delivery of public services so that the community's needs are met in the most effective and efficient manner. The Unit provides bureaux and departments with high quality management consultancy services that identify opportunities for performance enhancement, design practical solutions, develop compelling business cases, and secure effective implementation.

In 2002-03, the Efficiency Unit saw the full implementation of the integrated call centre which is now handling enquiries and complaints for 11 departments. Another major initiative was to develop and present a Management Forum for 14,000 senior civil servants that was designed to create a common understanding of the Asia's world city vision and of the need to embrace change so as to deliver that vision. Following the Management Forum, departments have already identified a large number of innovative projects to improve service delivery and cost-effectiveness. Other major initiatives that came to fruition in 2002-03 included the development and promotion of a private sector involvement programme through outsourcing and public private partnerships; the undertaking of various cross-department re-engineering projects through the adoption of new technology; and the conduct of management improvement projects. All these projects will lead to considerable improvements in public sector productivity, service quality and better value for money.

In 2003-04, the Efficiency Unit will continue to work in partnership with bureaux and departments to enhance the quality of public services as well as seeking greater efficiency in the use of limited public resources. Whilst it will continue its efforts to extend the service of the integrated call centre to cover more departments, the Unit will focus its attention on following up with departments in taking forward the innovative improvement projects identified after the Management Forum. Drawing on lessons learned from studies on public private partnerships (PPP) conducted in 2002-03, the Unit will support the development and implementation of PPP approaches to the delivery of recreational and cultural facilities projects, as mentioned in the Financial Secretary's Budget Speech. It will also pursue other PPP opportunities as required by other bureaux.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO011

Question Serial No.

1205

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Will provision be allocated to the Council for Sustainable Development in 2003-04 for the conduct of surveys and studies on sustainable development? If yes, how much provision is made, and what are the topics to be studied and the anticipated dates of completion?

Asked by: Hon. CHAN Yuen-han

Reply:

A non-recurrent commitment of \$2.9 million has been provided for surveys and studies on sustainable development. Upon its operation, we will consult the Council for Sustainable Development with a view to conducting studies and public consultation to gauge views and build consensus on Hong Kong's long term sustainability. Out of the approved commitment, we have included in the 2003-04 draft Estimates provision of \$1.5 million for the Council to consider studies on relevant subjects and public consultation exercises. In this context, the Council will also consider an appropriate way of taking forward the development of a long-term strategy for sustainability with participation by interested stakeholders.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

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

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

What are the initiatives for the integration of sustainable development concept by both the Government and the community for 2003-04? In this regard, will the Administration conduct studies on sustainable development? If yes, what are the resources required and the topics to be studied, and when will the studies be completed?

Asked by: Hon. CHAN Yuen-han

Reply:

The Sustainable Development Unit (SDU) under the Administration Wing is responsible for promoting the principles of sustainable development both within the Government and in the wider community. Specific initiatives for 2003-04 include: -

- (a) supporting the newly appointed Council for Sustainable Development in working with stakeholders on key issues related to building a sustainable future, including the preparation for a sustainable development strategy for Hong Kong;
- (b) setting up a Sustainable Development Fund to support initiatives by the non-government sector to promote sustainable development in the community, such as educational programmes and projects that will help citizens and students to develop an awareness of the importance of sustainability;
- (c) reviewing the sustainability assessment system in the light of operational experience and updating the baseline data contained in the computer tool used for sustainability assessment purposes. The SDU will also continue to provide training and seminars to keep bureaux and departments abreast of the best practices of sustainable development; and
- (d) continuing with publicity and community education programmes that help promote the principles of sustainable development. For example, the SDU organised in 2002-03 a roving exhibition, an international symposium, a community fair and a school outreach programme.

Provision of \$4.1 million has been included in the 2003-04 draft Estimates for:

- (a) \$0.4 million as the remaining balance of the study on terrestrial habitat mapping and ranking based on conservation value which is scheduled for completion by May 2003;
- (b) \$1.2 million, out of an approved non-recurrent commitment of \$2.9 million, for consultancy studies to be conducted in consultation with the Council for Sustainable Development; and
- (c) \$2.5 million for SDU's review of baseline data for sustainability assessment purposes and for other studies.

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Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

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

Reply Serial No.

CSO013

Question Serial No.

1286

Head: 142 – Government Subhead(No. & title): 000 Operational expenses
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme:

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Please provide the number of non-civil service contract staff employed and the level of expenditure involved in 2002-03. Are there any plans to employ more or less non-civil service contract staff in 2003-04? If so, what are the reasons? And what will be the number of staff and the level of expenditure involved?

Asked by: Hon. LEE Cheuk-yan

Reply:

As at to-date, we employ a total of 179 non-civil service contract staff and our projected requirement for 2002-03 for the purpose is \$25 million.

We have plans to employ another 50 non-civil service contract staff in 2003-04, mainly for the Efficiency Unit's integrated call centre upon its taking over the call handling functions from additional departments. The expenditure involved is about \$7 million.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO014

Question Serial No.

1336

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (2) Government Records Service

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

In Programme (2) Government Records Service, matters requiring special attention in 2003-04 includes enhancing the integrated information access system, could the Administration inform this Council of the details of the matter and the expenditure involved?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The integrated information access system is launched in two phases. Phase I of the system, completed in late 2002, allows Internet access to the catalogues of all the archival and library holdings of the Public Records Office (PRO), and on-line retrieval of selected images from the collection of photographs, posters and film. Phase II, scheduled for completion in mid 2003, would automate the backend processes in managing the acquisition, cataloging, description, circulation, records review and preservation of all collections of the PRO to improve operational efficiency and cost-effectiveness.

The total cost of the project is \$7.1 million under Capital Works Reserve Fund Head 710 Computerisation, including procurement of hardware and software, data preparation and digitization services, system security review and contract staff expenditure.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO015

Question Serial No.

1337

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

For Programme (3) CSO-Administration Wing, how many appeal cases raised to the Administrative Appeals Board and the Municipal Services Appeals Board were processed in 2001 and 2002 respectively? Please list out the details, the expenditure involved and the result of appeal for each case.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The number of appeals lodged with the Administrative Appeals Board (AAB) in 2001 and 2002 is 87 and 60 respectively. As for the Municipal Services Appeals Board (MSAB), it received 31 and 33 appeals in 2001 and 2002 respectively. Details and outcome of these appeals are set out in Annexes A and B.

Provision of \$2.7 million has been included in the 2003-04 draft Estimates to cover the salary provision of staff providing secretarial support to the AAB and MSAB as well as the honorarium payable to the Chairman of the AAB.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Appeals Received by the Administrative Appeals Board in 2001

Case No.	Details	Outcome
1/2001	Appeal lodged by an individual against the decision of the Commissioner of Inland Revenue in refusing her application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
2/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
3/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
4/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
5/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
6/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
7/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of her complaint.	The appeal is abandoned.
8/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
9/2001	Appeal lodged by an individual against the decision of the Commissioner of Inland Revenue in refusing his application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
10/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
11/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	The appeal is dismissed.

Case No.	Details	Outcome
12/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
13/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
14/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
15/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
16/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
17/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
18/2001	Appeal lodged by an individual against the decision of the Commissioner of Inland Revenue in refusing her application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
19/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
20/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
21/2001	Appeal lodged by a company against the decision of the Commissioner of Customs & Excise on the payment of duty.	The appeal is dismissed.
22/2001	Appeal lodged by a company against the decision of the Commissioner of Customs & Excise on the payment of duty.	The appeal is abandoned.
23/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.

Case No.	Details	Outcome
24/2001	Appeal lodged by an institution against the decision of the Privacy Commissioner for Personal Data to serve an enforcement notice in consequence of the investigation.	The decision appealed against is replaced with a new decision.
25/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaint.	The appeal is dismissed.
26/2001	Appeal lodged by a company against the decision of the Commissioner of Customs & Excise on the payment of duty.	The appeal is allowed.
27/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
28/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
29/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaint.	The appeal is dismissed.
30/2001	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is dismissed.
31/2001	Appeal lodged by an individual against the decision of the Commissioner of Police in refusing to renew his massage establishment licence.	The appeal is abandoned.
32/2001	Appeal lodged by an applicant against the decision of the Commissioner of Television and Entertainment Licensing in refusing his application for the grant of a mahjong/tinkau licence.	The appeal is dismissed.
33/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
34/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
35/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.

Case No.	Details	Outcome
36/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
37/2001	Appeal lodged by an individual against the decision of the Commissioner of Police in refusing to renew his massage establishment licence.	The appeal is allowed and the decision appealed against is replaced with a new decision.
38/2001	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
39/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
40/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
41/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
42/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
43/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
44/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
45/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
46/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.

Case No.	Details	Outcome
47/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
48/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
49/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to serve an enforcement notice in consequence of the investigation.	The appeal is dismissed.
50/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
51/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
52/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
53/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
54/2001	Appeal lodged by an individual against the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	The appeal is allowed.
55/2001	Appeal lodged by an individual against the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	Pending decision.
56/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
57/2001	Appeal lodged by a company against the decision of the Drainage Authority on the levy of trade effluent surcharge.	The appeal is allowed.
58/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.

Case No.	Details	Outcome
59/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
60/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
61/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
62/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
63/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
64/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is abandoned.
65/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
66/2001	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
67/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
68/2001	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
69/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is allowed.
70/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.

Case No.	Details	Outcome
71/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation/further investigation of his complaint.	The appeal is struck out by order of the Chairman.
72/2001	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
73/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
74/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
75/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation/further investigation of his complaints.	The appeal is allowed.
76/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
77/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data in refusing to carry out further investigation of his complaint.	The appeal is struck out by order of the Chairman.
78/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation of his complaint.	The appeal is struck out by order of the Chairman.
79/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
80/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of her complaint.	The appeal is dismissed.
81/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaints.	The appeal is abandoned.
82/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.

Case No.	Details	Outcome
83/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
84/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
85/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaint.	The appeal is abandoned.
86/2001	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaint.	The appeal is dismissed.
87/2001	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.

Appeals Received by the Administrative Appeals Board in 2002

Case No.	Details	Outcome
1/2002	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.
2/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
3/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
4/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
5/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out further investigation of his complaint.	The appeal is dismissed.
6/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
7/2002	Appeal lodged by a company against the decision of the Commissioner for Labour in revoking its employment agency licence.	The appeal is dismissed.
8/2002	Appeal lodged by a company against the decision of the Commissioner for Labour in revoking its employment agency licence.	The appeal is abandoned.
9/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
10/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
11/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.

Case No.	Details	Outcome
12/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
13/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
14/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation of his complaint.	The appeal is abandoned.
15/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
16/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation of his complaint.	The appeal is struck out by order of the Chairman.
17/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	The appeal is dismissed.
18/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
19/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
20/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
21/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is allowed.
22/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	The appeal is dismissed.
23/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation of his complaints.	The appeal is struck out by order of the Chairman.

Case No.	Details	Outcome
24/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
25/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to carry out investigation of his complaint.	The appeal is struck out by order of the Chairman.
26/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
27/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is dismissed.
28/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
29/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
30/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
31/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
32/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
33/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
34/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
35/2002	Appeal lodged by an applicant against the decision of the Commissioner for Television and Entertainment Licensing in refusing to grant a mahjong/tinkau licence.	The case is sent back to the Respondent for re-consideration.

Case No.	Details	Outcome
36/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
37/2002	Appeal lodged by an applicant against the decision of the Commissioner for Television and Entertainment Licensing in refusing to grant a mahjong/tinkau licence.	The appeal is allowed.
38/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
39/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
40/2002	Appeal lodged by an applicant against the decision of the Commissioner for Television and Entertainment Licensing in refusing to renew a public dance hall licence.	The appeal is dismissed.
41/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
42/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
43/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
44/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
45/2002	Appeal lodged by an applicant against the decision of the Security and Guarding Services Industry Authority in revoking his security personnel permit.	The appeal is dismissed.
46/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
47/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing her application for a security personnel permit.	The appeal is abandoned.

Case No.	Details	Outcome
48/2002	Appeal lodged by an individual against the decision of the Privacy Commissioner for Personal Data not to issue an enforcement notice in consequence of the investigation.	The appeal is heard and adjourned. Hearing will resume in April 2003.
49/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
50/2002	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is dismissed.
51/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
52/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
53/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
54/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is heard and adjourned. Hearing will resume in April 2003.
55/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is dismissed.
56/2002	Appeal lodged by an applicant against the decision of the Commissioner of Police in refusing his application for a security personnel permit.	The appeal is abandoned.
57/2002	Appeal lodged by a company against the decision of the Drainage Authority to levy sewage charges or trade effluent charges based on the Authority's business classification of the company's account.	Pending hearing
58/2002	Appeal lodged by a company against the decision of the Commissioner of Inland Revenue in refusing its application for exemption from payment of the prescribed business registration fee and levy.	The appeal is abandoned.

Case No.	Details	Outcome
59/2002	Appeal lodged by a company against the decision of the Commissioner of Customs & Excise on the payment of duty on its dutiable goods.	Pending hearing
60/2002	Appeal against lodged by an applicant against the decision of the Director of Agriculture, Fisheries & Conservation in refusing his application for a Marine Parks and Marine Reserves Regulation fishing permit.	Pending hearing

Appeals Received by the Municipal Services Appeals Board in 2001

Case No.	Details	Outcome
1/2001	Appeal lodged by an applicant against the decision of the Liquor Licensing Board to refuse her application for new issue of liquor licence.	The appeal is allowed.
2/2001	Appeal lodged by an applicant against the decision of the Liquor Licensing Board to refuse her application for new issue of liquor licence.	The appeal is dismissed.
3/2001	Appeal lodged by an applicant against the decision of the Licensing Appeals Board to dismiss his appeal against the decision of the Director of Leisure and Cultural Services to refuse his application for a Places of Amusement (Billiard Establishment) Licence.	The appeal is allowed.
4/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is allowed.
5/2001	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is withdrawn.
6/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for a dancing endorsement on his liquor licence.	The appeal is withdrawn.
7/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for transfer and renewal of liquor licence.	The appeal is withdrawn.
8/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose a condition on his liquor licence.	The appeal is dismissed.
9/2001	Appeal lodged by an individual against the decision of the Director of Food and Environmental Hygiene to issue a Places of Public Entertainment Licence to a company.	The appeal is dismissed.
10/2001	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss her appeal against the decision of the Director of Food and Environmental Hygiene to refuse her application for transfer of Fixed Pitch (Other Classes) Hawker Licence.	The appeal is dismissed.

Case No.	Details	Outcome
11/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is partly allowed and partly dismissed.
12/2001	Appeal lodged by an applicant against the decision of the Liquor Licensing Board to refuse his application for new issue of liquor licence.	The appeal is dismissed.
13/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is allowed.
14/2001	Appeal lodged by an applicant against the decision of the Licensing Appeals Board to dismiss his appeal against the decision of the Director of Food and Environmental Hygiene to refuse his application for issue of a Fixed Pitch (Other Classes) Hawker Licence.	The appeal is dismissed.
15/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to renew his liquor licence for a short period of 3 months and to impose a condition on his liquor licence.	The appeal is partly allowed and partly dismissed.
16/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to issue her a 6-month liquor licence and to impose conditions on her liquor licence.	The appeal is partly allowed and partly dismissed.
17/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for transfer and renewal of liquor licence.	The appeal is dismissed.
18/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to renew his liquor licence for 6 months and to impose a condition on his liquor licence.	The appeal is allowed.
19/2001	Appeal lodged by residents of a building against the decision of the Liquor Licensing Board to renew a liquor licence for 3 months and to impose only one additional condition on the liquor licence.	The appeal is withdrawn.
20/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose additional conditions on her liquor licence.	The appeal is partly allowed and partly dismissed.
21/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for renewal of liquor licence.	The appeal is dismissed.

Case No.	Details	Outcome
22/2001	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss his appeal against the decision of the Director of Food and Environmental Hygiene to refuse his application for transfer of General Restaurant Licence.	The appeal is dismissed.
23/2001	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss her appeal against the decision of the Director of Food and Environmental Hygiene to refuse her application for transfer of General Restaurant Licence.	The appeal is dismissed.
24/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to renew his liquor licence for a short period of 6 months and to impose a condition on his liquor licence.	The appeal is partly allowed and partly dismissed.
25/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose conditions on his club liquor licence.	The appeal is partly allowed and partly dismissed.
26/2001	Appeal lodged by an applicant licensee against the decision of the Liquor Licensing Board to issue him a club liquor licence for a short period of 3 months.	The appeal is withdrawn.
27/2001	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate her tenancy agreement.	The appeal is dismissed.
28/2001	Appeal lodged by residents of a building against the decision of the Liquor Licensing Board to issue a liquor licence.	The appeal is allowed.
29/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to renew her liquor licence for a short period of 6 months and to impose additional licensing conditions on her liquor licence.	The appeal is partly allowed and partly dismissed.
30/2001	Appeal lodged by an applicant against the decision of the Liquor Licensing Board to refuse his application for new issue of a club liquor licence.	The appeal is dismissed.
31/2001	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose additional conditions on his liquor licence.	The appeal is dismissed.

Appeals Received by the Municipal Services Appeals Board in 2002

<u>Case No.</u>	<u>Details</u>	<u>Outcome</u>
1/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is dismissed.
2/2002	Appeal lodged by an Owners' Corporation against the decision of the Liquor Licensing Board to renew a liquor licence for 6 months.	The appeal is dismissed.
3/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate her tenancy agreement.	The appeal is withdrawn.
4/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is withdrawn.
5/2002	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to substitute the suspension period imposed by the Director of Food and Environmental Hygiene on his Light Refreshment Restaurant Licence by a shorter suspension period.	The appeal is dismissed.
6/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is withdrawn.
7/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for renewal of liquor licence.	The appeal is partly allowed and partly dismissed.
8/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate her tenancy agreement.	The appeal is dismissed.
9/2002	Appeal lodged by an Owners' Corporation against the decision of the Liquor Licensing Board to grant a liquor licence.	The appeal is dismissed.
10/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is allowed.
11/2002	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss her appeal against the decision of the Director of Food and Environmental Hygiene to suspend her Light Refreshment Restaurant Licence.	The appeal is dismissed.

<u>Case No.</u>	<u>Details</u>	<u>Outcome</u>
12/2002	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to substitute the suspension period imposed by the Director of Food and Environmental Hygiene on his Light Refreshment Restaurant Licence by a shorter suspension period.	The appeal is dismissed.
13/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is withdrawn.
14/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate her tenancy agreement.	The appeal is dismissed.
15/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for renewal of liquor licence.	The appeal is allowed.
16/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for transfer of liquor licence.	The appeal is withdrawn.
17/2002	Appeal lodged by an applicant against the decision of the Licensing Appeals Board to dismiss her appeal against the decision of the Director of Food and Environmental Hygiene to refuse her application for issue of a Fixed Pitch (Other Classes) Hawker Licence.	The appeal is dismissed.
18/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for renewal of liquor licence.	The appeal is dismissed.
19/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is allowed.
20/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is dismissed.
21/2002	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss her appeal against the decision of the Director of Food and Environmental Hygiene to cancel her General Restaurant Licence.	The appeal is allowed.
22/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose additional conditions on his club liquor licence.	The appeal is withdrawn.

<u>Case No.</u>	<u>Details</u>	<u>Outcome</u>
23/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is withdrawn.
24/2002	Appeal lodged by a licensee against the decision of the Licensing Appeals Board to dismiss his appeal against the decision of the Director of Food and Environmental Hygiene to refuse his application for transfer of General Restaurant Licence.	The appeal is dismissed.
25/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse her application for removal of the additional licensing conditions imposed on her liquor licence.	The appeal is withdrawn.
26/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose conditions on his liquor licence.	The appeal is partly allowed and partly dismissed.
27/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to impose an additional condition on his liquor licence.	The appeal is dismissed.
28/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	The appeal is withdrawn.
29/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to renew his club liquor licence only for a period of 6 months.	The appeal is dismissed.
30/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to terminate his tenancy agreement.	The appeal is dismissed.
31/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for dancing endorsement on his liquor licence.	The appeal is dismissed.
32/2002	Appeal lodged by a market tenant against the decision of the Director of Food and Environmental Hygiene to adjust the rent of his stall.	The appeal is withdrawn.
33/2002	Appeal lodged by a licensee against the decision of the Liquor Licensing Board to refuse his application for renewal of liquor licence.	Pending hearing.

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

Reply Serial No.

CSO016

Question Serial No.

1338

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

For Programme (3) CSO-Administration Wing, how many visits were arranged for the Justices of the Peace to the correctional institutions in the year 2002? Please list out the number of visits against those correctional institutions? Among them, had there been any visits made by two non-official Justices of the Peace or visits of un-announced nature? If yes, please provide the dates and the names of those correctional institutions.

Asked by: Hon HO Sau-lan, Cyd

Reply:

In 2002, Justices of the Peace (JP) conducted 490 visits to 31 institutions under the management of the Correctional Services Department (CSD). Breakdown of the JP visits are provided at the Annex. All the JP visits were conducted by one Non-official JP and one Official JP except on one occasion where two Non-official JPs visited the Shek Pik Prison in March 2002. All visits by JPs are unannounced; the CSD or relevant institutions would not be informed in advance of the dates of the JP visits, although prior logistical arrangements would have been made between the JP Secretariat and the visiting JPs concerned according to the statutory requirements. All JP visits in 2002 were initiated and arranged by the JP Secretariat in such manner.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

JP Visits to Institutions of the Correction Services Department

Name of Institution	No. of Visits Conducted
<i>Fortnightly Visits</i>	
Chi Ma Wan Correctional Institution	22
Chi Ma Wan Drug Addiction Treatment Centre / Chi Lan Rehabilitation Centre	23
Hei Ling Chau Addiction Treatment Centre and Annex	23
Hei Ling Chau Correctional Institution / Lai Sun Correctional Institution	22
Lai Chi Kok Reception Centre / Custodial Ward of Queen Elizabeth Hospital	24
Lo Wu Correctional Institution	24
Ma Hang Prison	23
Ma Po Ping Prison and Tong Fuk Centre	22
Pak Sha Wan Correctional Institution	24
Pik Uk Correctional Institution	23
Pik Uk Prison	24
Sha Tsui Detention Centre / Lai Chi Rehabilitation Centre	24
Shek Pik Prison	23
Siu Lam Psychiatric Centre	23
Stanley Prison	23
Tai Lam Centre for Women /Bauhinia House	21
Tai Lam Correctional Institution	24
Tai Tam Gap Correctional Institution	24
Tung Tau Correctional Institution	24
Victoria Prison / Custodial Ward of Queen Mary Hospital	24
Sub-total	464
<i>Monthly Visits</i>	
Cape Collinson Correctional Institution /New Life House and Pelican House	12
Green Island Reception Centre*	2
Lai King Training Centre / Phoenix House	12
Sub-total	26
Total	490

* The Green Island Reception Centre has been temporarily closed since March 2002.

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

Reply Serial No.

CSO017

Question Serial No.

1339

Head: 142 – Government Subhead(No. & title):
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

For Programme (3) CSO-Administration Wing, how many meetings were held in 2002 with the Independent Commission Against Corruption and the Office of The Ombudsman respectively? Please list out the dates on which those meetings were held, the issues discussed during the meetings, the attending officers, discussion conclusions and the follow-up actions to be taken by both parties.

Asked by: Hon HO Sau-lan, Cyd

Reply:

The Director of Administration and his staff maintain regular liaison with the Independent Commission Against Corruption (ICAC) through discussions or meetings on a need basis, exchange of correspondence, and by way of telecommunication. We have not kept and do not have the number of such 'exchanges'. Subject matters of liaison include corruption prevention or other general issues that involve coordination with Government bureaux and departments, furtherance of new anti-corruption initiatives, handling of complaints against ICAC staff, general policy issues, etc. In addition, in view of his role of being the official contact point in the Administration for ICAC, the Director of Administration or his representative serves as an ex-officio member of various ICAC advisory committees, viz. the Advisory Committee on Corruption, the Operations Review Committee and the Corruption Prevention Advisory Committee. These committees meet on a regular basis to discuss a wide range of operational, administrative and policies issues of ICAC.

Similarly, we cannot provide an account of our exchanges with the Office of The Ombudsman in 2002. We would arrange meetings or discussions, or resort to telecommunication or written correspondence whenever we see the need to. The more prominent issues that we took up with the Office in 2002 include the comprehensive follow-up work under The Ombudsman (Amendment) Ordinance 2001 to ensure full independence of The Ombudsman over her management of the financial and staffing arrangements. We also helped coordinate relevant Government bureaux' or departments' response to the publication of investigation reports by The Ombudsman, particularly in the context of the preparation of the Government Minute in response to the recommendations made by The Ombudsman on an annual basis.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO018

Question Serial No.

1340

Head: 142 – Government Subhead(No. & title): 000 Operational expenses
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (4) Protocol Division

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Under Programme (4) Protocol Division, how many national leaders and overseas senior officials are expected to visit the HKSAR in 2003-04? Please provide details such as the dates, personalities and expenditure involved in such visits.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

Based on past experience, the number of visits to HKSAR by national leaders and overseas senior officials in 2003-04 is estimated to be in the region of 100. For the first quarter of 2003-04, we anticipate that there will be about 30 such visits.

For budget planning purpose, the estimated expenditure for 2003-04 in respect of visits by national leaders and overseas senior officials to HKSAR is \$8.5 million. The items of expenditure cover hotel accommodation, transportation and programme arrangements. The amount of financial provision varies from one visit to another, depending on the status and security requirements of the principal visitor, the length of stay and the size of the delegation, etc.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO019

Question Serial No.

1341

Head: 142 – Government Subhead(No. & title): 000 Operational expenses
Secretariat: Offices of the
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Information is sought under Subhead 000 Operational expenses:

- (a) with regard to the increase in remuneration for special appointments from the original estimate of \$13,904,000 to the revised estimate of \$47,387,000 for 2002-03, please give details of the relevant expenditure and the reason(s) for such huge increase; and
- (b) with regard to the increase in honoraria for members of committees to \$2,193,000 for 2003-04, please give the respective details of such expenditure for 2002-03 and 2003-04 (e.g. the names and membership size of committees and other relevant details).

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) The revised estimate for remuneration for special appointments for 2002-03 is \$33.483 million higher than the original estimate. This is mainly due to the charging of remuneration of the Principal Officials appointed under the accountability system, except the Secretary for Justice, to this item under Head 142 as an interim arrangement. From 2003-04 onward, the remuneration of the 11 Directors of Bureaux will be charged to the respective bureaux.
- (b) We have included provision of \$0.753 million and \$1.44 million in the 2003-04 draft Estimates for the payment of honoraria to the Chairman of the Administrative Appeals Board (AAB) and part-time members of the Central Policy Unit (CPU) respectively.

For the AAB, the original estimate for 2002-03 was \$0.753 million, but the revised estimate is reduced to \$0.242 million due to a smaller number of appeal cases lodged with the AAB and hence lower spending in 2002-03. The provision of \$0.753 million sought in the 2003-04 draft Estimates is the same as the original estimate for 2002-03 to take into account the fluctuation in the number of appeals lodged with the AAB from year to year. The AAB consists of a Chairman, three Deputy Chairmen and a panel of 38 members. Each appeal will be heard by an Appeals Board comprising the Chairman or a Deputy Chairman, and two panel members.

For the CPU's part-time members, the provision of \$1.44 million sought in the 2003-04 draft Estimates represents an increase of \$0.408 million over the revised estimate of \$1.032 million for 2002-03. This is due to the anticipated need to involve more part-time members in the work of the CPU.

The revised estimate for honoraria for the CPU's part-time members for 2002-03 is \$1.032 million. Details are as follows:

	No. of members	Expenditure (\$m)
General Panel	29 (April – December 2002)	0.522
	37 (January – March 2003)	0.218
Population Panel	11 (April 2002 – March 2003)	0.052
Pearl River Delta Panel	12 (February – March 2003)	0.048
Social Cohesion Panel	12 (August 2002 – March 2003)	0.192
	Total	1.032

Part-time members receive an honorarium of either \$2,000 per month or \$500 per hour, depending on their mode of service.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO020

Question Serial No.

1342

Head: 142 – Government Subhead(No. & title): 838 Minor consultancy
Secretariat: Offices of the studies (block vote)
Chief Secretary for
Administration and the
Financial Secretary

Programme: (3) CSO-Administration Wing

Controlling Officer: Director of Administration

Director of Bureau: Director of Administration

Question :

Under Subhead 838 Minor consultancy studies (block vote), how many seminars are expected to be held by the Central Policy Unit in 2003-04? Please provide detailed information such as the dates, topics to be covered and the expenditure for each of the seminar specified.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The Central Policy Unit plans to organise 4-5 public seminars in 2003-04. The first seminar is scheduled for 22 April 2003 on “Hong Kong in Transition”. The estimated cost is \$40,000. We have included a total of \$0.48 million in the 2003-04 draft Estimates under the Unit’s operational expenses instead of Subhead 838 Minor consultancy studies (block vote) for organising public seminars.

Signature _____

Name in block letters Andrew H Y Wong

Post Title Director of Administration

Date 22 March 2003

Examination of Estimates of Expenditure 2003-04
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CSO021

Head : 176 Subventions: Miscellaneous
Subhead (No. & title) : 446 Duty Lawyer Service

Question Serial No.

Programme :

0864

Controlling Officer : Director of Administration

Director of Bureau : Director of Administration

Question :

The cost per defendant under the Duty Lawyer Scheme was on the decrease in the past three years. Will the Administration inform this Council:

- (1) whether the decrease in cost will affect the quality of the service provided;
- (2) of the current average waiting time for an appointment to see a volunteer lawyer and the relevant figures for 2001 and 2002; and
- (3) of the number of participating lawyers and that of lawyers who provided service in the past three years, and of the average caseload (cases requiring legal advice and representation) per lawyer?

Asked by : Hon. NG Margaret

Reply :

- (1) The decrease in the average cost per defendant under the Duty Lawyer Scheme in the past three years is due to:
 - i. the efforts made by the Duty Lawyer Service to control the administrative costs, including both personal emolument and operating expenses, despite the increase in the number of defendants/suspects assisted; and
 - ii. the efforts of careful case management made by the Duty Lawyer Service so that the service time of each duty lawyer is better utilized.

The decrease in the average cost per defendant resulted from these efforts has not affected the quality of service.

- (2) The current average waiting time for an appointment to see a volunteer lawyer under the Legal Advice Scheme is slightly more than 2.5 weeks, reduced from about 3.5 weeks in both 2001 and 2002.

(3) The number of lawyers participating in the Duty Lawyer Scheme and those who provided service in the past three years are as follows:

	2000	2001	2002
No. of participating lawyers	1,203	1,266	1,321
No. of lawyers who provided service	Not Available	925	1,036

The number of lawyers participating in the Legal Advice Scheme in the past three years are as follows:

	2000	2001	2002
No. of participating lawyers¹	754	797	840

¹ All participating lawyers would be invited every 4 months to provide service. The Duty Lawyer Service has not kept full statistics on the number of lawyers providing service.

The number of whole-day lawyer sessions in the Duty Lawyer Scheme and the average number of defendants/suspects handled by a duty lawyer per whole-day session in the past three years are as follows:

	2000	2001	2002
No. of whole-day lawyer sessions	9,670	10,107	9,476.5
Average No. of defendants/suspects handled by a duty lawyer in a whole-day session	4.22	4.28	4.92

The number of lawyer sessions in the Legal Advice Scheme and the average number of cases handled by a volunteer lawyer in a two-hour session in the past three years are as follows:

	2000	2001	2002
No. of lawyer sessions	1,289	1,239	1,433
Average No. of cases handled by a volunteer lawyer in a session	4.60	4.60	4.25

Signature _____

Name in block letters Andrew H Y WONG

Post Title Director of Administration

Date 21.3.2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO022

Question Serial No.

0123

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: Legal Aid

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Regarding consultancy studies for policy making and assessment (if any) commissioned by your bureau and departments, please provide details in the following format:

(1) Please provide the following details of the consultancy studies for which financial provision have been allocated in 2001-02 and 2002-03 respectively:

Name of consultants (if available)	Description	Consultancy fees	Progress on consultancy studies (planning/ in progress / completed)	Government's follow-up action on the study reports and the progress made	If no follow-up action is taken on the study reports please state reasons and whether there is any other measure to deal with the subject concerned

(2) Please provide the following details of the consultancy studies that had been carried out in 2001-02 and 2002-03 for which financial provision has not been allocated:

Name of consultants (if available)	Description	Consultancy fees	Progress on consultancy studies (planning/ in progress / completed)	Government's follow-up action on the study reports and the progress made	If no follow-up action is taken on the study reports please state reasons and whether there is any other measure to deal with the subject concerned

(3) Has financial provision been allocated for commissioning consultancy studies in 2003-04? If yes, please provide the following details:

Name of consultants (if available)	Description	Consultancy fees	Status of consultancy studies (planning/ in progress / completed)

Asked by: Hon. HO Sau-lan, Cyd

Reply:

(1)

Name of consultants (if available)	Description	Consultancy fees	Progress on consultancy studies (planning/ in progress / completed)	Government's follow-up action on the study reports and the progress made	If no follow-up action is taken on the study reports please state reasons and whether there is any other measure to deal with the subject concerned
Talents Management Consulting Services Company Limited	2001-02 & 2002-03 Review of mechanism of obtaining feedback from customers and implementation of new initiatives to inculcate the departmental culture in "Customer Service" and "Internal Communication"	\$259,500	Completed	The review was completed and the recommendations implemented were as follows: (a) setting up a comprehensive mechanism with a multi-forked approach in obtaining regular feedback from customers to facilitate the monitoring of the quality of legal aid service and customer service; (b) publishing Customer Service Guidebook for guidance to staff; and (c) workshops were arranged for staff to enhance their service delivery skills and to strengthen communication among staff and between staff and customers.	N/A

(2) Nil.

(3) Nil.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO023

Question Serial No.

0596

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: What are the new measures to strengthen the monitoring of assigned-out cases in 2003-04?

Asked by: Hon. SHEK Lai-him, Abraham

Reply: As part of an on-going exercise to strengthen the monitoring of assigned-out cases, the followings are some of the measures which the Department will consider in 2003-04:

- (a) a wider use of limited certificates to ensure justification for continuance of legal aid.
- (b) enhanced communication with lawyers through Legal Aid Services Council's (LASC) Interest Group on the Monitoring of Assigned out Cases.
- (c) conducting study on further measures to strengthen monitoring of assigned out cases in connection with LASC's planned study on costs control and monitoring of case progress.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO024

Question Serial No.

0597

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Why is the estimated amount of costs to be recovered in 2003 lower than that of
2001?

Asked by: Hon. SHEK Lai-him, Abraham

Reply: The estimate of the amount of costs to be recovered in 2003 is based on the data and
trend of the past four years. The amount of costs to be recovered in any one year
will depend on the types and number of legal aid cases that will be concluded in that
year.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO025

Question Serial No.

0753

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: The Department has to create one post for improving the information technology support services under this programme and will delete two posts accordingly. Please give details about the post to be created and those to be deleted such as the post titles, monthly salaries, other expenses and so on.

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The new post will be filled by an Analyst / Programmer II (AP II) transferred from the Information Technology Services Department. The mid-point monthly salary of APII as at 1.3.2003 is \$26,995. The deletion of the two Law Clerk (LC) posts arises from the implementation of the Information Systems Strategy Project. The mid-point monthly salary of a Law Clerk as at 1.3.2003 is \$22,230.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO026

Question Serial No.

0754

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: The Department has to create two posts for improving the information technology support services under this programme and will delete three posts accordingly. Please give details about the posts to be created and those to be deleted such as the post titles, monthly salaries, other expenses and so on.

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The two new posts will be filled by one Senior Systems Manager (SSM) and one Analyst / Programmer I (AP I) transferred from the Information Technology Services Department. The mid-point monthly salary of SSM and AP I as at 1.3.2003 are \$82,390 and \$42,705 respectively. The deletion of the three Law Clerk (LC) posts arises from the implementation of the Information Systems Strategy Project. The mid-point monthly salary of a Law Clerk as at 1.3.2003 is \$22,230.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO027

Question Serial No.

0755

Head: 94 – Legal Aid Department

Subhead(No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question : In 2003-04, the Legal Aid Department will continue to monitor the performance of assigned private legal practitioners. What criteria or standards will the Legal Aid Department adopt to evaluate their performance?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The Department has issued Guidance Notes to all the solicitors and counsel on the Legal Aid Panels highlighting the relevant legal aid provisions and setting out the Department's guidelines and standards required for handling legal aid cases. The Department evaluates the performance of assigned lawyers by reference to these statutory provisions, Guidance Notes, the code of conduct issued by the Bar Association and Guide to Professional Conduct issued by the Law Society.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO028

Question Serial No.

0756

Head: 94 – Legal Aid Department

Subhead(No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question : Will Legal Aid Department study the formulation of measures to strengthen monitoring of assigned legal aided cases in 2003-04? When will the study commence, when will it be completed and when will the said measures be implemented?

Asked by: Hon. LAU Hon-chuen, Ambrose

Reply: The Department will study further measures to strengthen monitoring of assigned out cases in connection with the Legal Aid Services Council's (LASC) planned study on costs control and monitoring of case progress. The Department will consult LASC on the exact scope and timing of the study.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO029

Question Serial No.

0861

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Regarding cases involving right of abode claimants, could the Department inform this Committee:

- (a) Were enquiries made by right of abode claimants included in the "enquiries received" item? How many such enquiries were received?
- (b) The actual number of applications in 2002 under the third items as related to "Indicators" of "Civil" cases excludes applications by right of abode claimants. Then does the estimated number for the same item in 2003 also exclude the applications by right of abode claimants? If yes, what are the reasons for that?

Asked by: Hon. NG Margaret

- Reply:
- (a) The item "enquiries received" included 1,321 and 346 enquiries made by right of abode claimants for 2001 and 2002 respectively.
 - (b) The estimated number of applications by right of abode claimants in 2003 has been included in the estimate for 2003. It is estimated that a small number of applications from right of abode claimants, if any, will be received in 2003 as it is not anticipated that there will be further major issues involving large number of right of abode claimants.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO030

Question Serial No.

0863

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Could the Department inform the Committee:

Of the expenditure on litigation services in 2001-02 and 2002-03, how much was spent on paying assigned solicitors and counsel annually? Please give details of the Department's plan to formulate measures to strengthen the monitoring of assigned-out cases. What will be the ratio of assigned-out cases in the coming year and on what basis is the ratio arrived at?

Asked by: Hon. NG Margaret

Reply: The expenditure in respect of costs and fees of assigned solicitors and counsel in 2001-02 and 2002-03 is as follows:

<u>2001-02</u>	<u>2002-03</u>
(Actual)	(Revised estimate)
\$ million	\$ million
403.7	464.3

The Department will study further measures to strengthen monitoring of assigned out cases in connection with the Legal Aid Services Council's (LASC) planned study on costs control and monitoring of case progress. The Department will consult LASC on the exact scope and timing of the study.

In general, the Department assigns out around 70% of personal injury and matrimonial cases. In arriving at the present ratio, the Department takes into account the experience and capacity of the in-house Litigation Division and the need to facilitate staff professional development. Apart from insolvency cases, all other types of cases are assigned out.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

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

Reply Serial No.

CSO031

Question Serial No.

0865

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: The performance in processing civil legal aid applications within three months was over 90% in the previous two years. Why is the planned target for 2003 lowered to 85%? Is this due to the effect of curtailment of manpower or resources?

Asked by: Hon. NG Margaret

Reply: The target of 85% refers to our existing performance pledge. It was raised from 80% in January 2001 and has not been lowered.

While the target is set at 85%, we have always strived to do better than our performance pledge.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO032

Question Serial No.

0866

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Will the Department review the existing criteria used to assess the financial eligibility of legal aid applicants in the coming year? Will the upper financial eligibility limit be adjusted upward so as to tie in with the government's target on savings? How will the Department review the effectiveness of the means testing procedure?

Asked by: Hon. NG Margaret

Reply: The Administration is conducting a five yearly review of the criteria used to assess the financial eligibility of legal aid applicants. The Administration will consult the Legal Aid Services Council (LASC) shortly on the outcome of the review.

The financial eligibility limit is reviewed by the Administration every year to take account of inflation and every two years to also take into account the changes in costs of litigation. The Administration has completed the 2002 annual and biennial review and is consulting the LASC on the review findings. The Administration aims to consult the LegCo Panel on Administration of Justice and Legal Service on the findings of the reviews in June/July this year.

The effectiveness of means testing procedure will continue to be monitored by the Department's Internal Audit Unit on a regular basis.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO033

Question Serial No.

0867

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: How many legal aid applications based on the Bill of Rights were received by the Department in 2001 and 2002 respectively? Of those, how many were rejected on grounds of financial resources and merits?

Asked by: Hon. NG Margaret

Reply: The Department received one and three applications based on Bill of Rights in 2001 and 2002 respectively. None of them were refused on means. The one in 2001 was granted legal aid. The applications received in 2002 were refused on merits.

Pursuant to S.5AA of the Legal Aid Ordinance (Cap. 91), the Director of Legal Aid has the discretion to waive the upper financial eligibility limit in cases involving the Bill of Rights.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO034

Question Serial No.

0868

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: How many legal aid applications for judicial review against government departments were received by the Department in 2001 and 2002 respectively? Of those, how many were rejected on grounds of financial resources and merits?

Asked by: Hon. NG Margaret

Reply: In 2001, the Department received 251 legal aid applications for judicial review against government departments, of which 189 applications were refused on merits and 13 applications were refused on means.
In 2002, the Department received 175 legal aid applications for judicial review against government departments, of which 140 applications were refused on merits and 5 applications were refused on means.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO035

Question Serial No.

0962

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Could the Government inform the Committee:-

With the worsening of the economic downturn, and the unemployment and redundancy problem, it is expected that the tendency to apply for legal aid will increase. Why does the Department estimate that the magnitude of increase in the number of enquiries and appointments with regard to civil cases in 2003 will be smaller than that of 2002?

Asked by: Hon. TSANG Yok-sing, Jasper

Reply: The estimates for 2003 were arrived at by reference to the data and trend of the past four years. The magnitude of increase in the number of enquiries and appointments in 2002 is due to a much smaller number of enquiries in 2001 and a comparatively larger number of appointments in 2002.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

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

Reply Serial No.

CSO036

Question Serial No.

1150

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Could the Department inform the Committee of the details about the study on how to strengthen the monitoring of assigned-out cases, such as the purpose, method and time table of the study and the way forward for the monitoring of such cases?

Asked by: Hon. EU Yuet-mee, Audrey

Reply: As part of an on-going exercise to strengthen the monitoring of assigned-out cases, the followings are some of the measures which the Department will consider in 2003-04:

- (a) a wider use of limited certificates to ensure justification for continuance of legal aid.
- (b) enhanced communication with lawyers through Legal Aid Services Council's (LASC) Interest Group on the Monitoring of Assigned out Cases.
- (c) conducting study on further measures to strengthen monitoring of assigned out cases in connection with LASC's planned study on costs control and monitoring of case progress. The Department will consult LASC on the exact scope and timing of the study.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO037

Question Serial No.

1236

Head: 94 Legal Aid Department

Subhead(No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question : It is mentioned in the document that the estimate for 2003-04 will be increased by 1.1% over last year. Of the five targets, the performance of four of them will fall by 2% to 5% when compared to those of previous years. Regarding the indicators which show relatively large increase in workload, i.e. enquiries and applications received in relation to civil cases, the workload will merely increase by 5%. Furthermore, among the matters requiring special attention in 2003-04, the Department "will continue to monitor the processing time and improve the quality of its services". With regard to the above, could the government inform this Committee:

- (a) As the "targets" in the coming year will fall across the board and there is no significant increase in workload, how will the Legal Aid Department "improve the quality of its services" in respect of processing applications? What is the area of improvement, if any?
- (b) Although the targets for the coming year will fall, the estimated provision will be increased. Will the Department consider reducing its processes and expenditure to enhance its efficiency? If not, what is the reason?

Asked by: Hon. IP Kwok-him

- Reply:
- (a) The percentages under the "target" column refer to our existing performance pledges on processing time. The Department has not planned to lower the targets for 2003. The Department will continue to examine ways and means to further streamlining the application procedures, enhancing communication with legal aid applicants and strengthening customer service.
 - (b) Yes. The Department will consider enhancing the efficiency and cost-effectiveness of its services by reducing its processes and expenditure.

Signature _____

Name in block letters S. Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

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

Reply Serial No.

CSO038

Question Serial No.

1237

Head: 94 Legal Aid Department

Subhead (No. & title): 000 Operational expenses

Programme: (1) Processing of Legal Aid Applications and (2) Litigation Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: It is mentioned that the estimates in 2003-04 for Programmes (1) and (2) will be affected by "salary increments for staff". In this regard, will the Government inform this Committee:

- (a) concerning "salary increments for staff", the number of staff involved and their ranks, as well as the amount for 2003-04?
- (b) what room is there for the Department to provide equivalent or better services with less resources so as to offset the increased expenditure arising from salary increments for staff? and
- (c) what was the actual savings achieved as a result of the civil service salary reduction in 2002-03 and has such reduction offset part of the expenditure mentioned in paragraph (a) above?

Asked by: Hon. IP Kwok-him

- Reply:
- (a) Concerning "salary increments for staff" of the Department, the number of staff involved will be about 220, including staff members of all ranks (except officers at DL3 and above). The amount involved will be about \$2 million for 2003-04.
 - (b) On the premise of cost-savings, the Department will actively review and examine its work through re-engineering, re-organizing and re-prioritizing business as well as making use of the market force with a view to providing same or better services with less resources.
 - (c) The savings arising from civil service salary reduction in 2002-03 is about \$3 million, which has already been excluded from the revised estimate of 2002-03. The expenditure mentioned in item (a) is fully offset by the aforesaid savings.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

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

Reply Serial No.

CSO039

Question Serial No.

1306

Head: 94 Legal Aid Department

Subhead (No. & title): 000 Operational Expenses

Programme:

Controlling Officer: Director of Legal Aid

Director of Bureau:

Question: Please provide the number of non-civil service contract staff employed and the amount of expenditure involved in 2002-03. Are there any plans to employ more or less non-civil service staff in 2003-04? If so, what are the reasons? And what will be the number of staff and the expenditure involved?

Asked by: Hon. LEE Cheuk-yan

Reply: The number of non-civil service contract (NCSC) staff varies over time in accordance with the changing operational needs of the Department. As at 1 April 2002, the Department employed 26 NCSC staff. As at 1 March 2003, the Department employed 24 NCSC staff. The expenditure involved is about \$5.6 million for 2002-03.

It is expected that the number of NCSC staff will not exceed 15 by the end of 2003-04 because of anticipated change in operational needs of the Department. The estimated amount of expenditure involved will be around \$3 million.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003

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

Reply Serial No.

CSO040

Question Serial No.

1324

Head: 94 Legal Aid Department

Subhead (No. & title): 000 Operational Expenses

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Amongst the legal aid applications refused of means in the past three years,

- (1) how many of them were made by applicants for the Protection of Wages on Insolvency Fund for liquidation of their employers who failed to pay their wages?
- (2) how many of them were appeals made by employers against the decisions of the Labour Tribunal?

Asked by: Hon. LEE Cheuk-yan

<u>Reply:</u>	<u>Year</u>	<u>Number of applications refused on Means</u>
(1)	2000	59
	2001	40
	2002	37
(2)	2000	4
	2001	2
	2002	3

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

Revised

Examination of Estimates of Expenditure 2003-04

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

Reply Serial No.

CSO041

Question Serial No.

1358

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: Under Programme (1) Processing of Legal Aid Applications, how many legal aid applicants lodged applications for habeas corpus proceedings in 2001 and 2002 respectively? What was the number of successful applications and refusals of legal aid? What were the grounds for refusals? What was the average processing time and the longest processing time?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

	2001	2002
Number of legal aid applications	3	1
Legal aid offered / granted	1	-
Legal aid refused (Ground of refusal: No reasonable grounds for proceedings)	1	1 (Note)
Number of Application withdrawn	1	-
Average processing time	10 days	71 days
Longest processing time	13 days	71 days

Note

The applicant subsequently appealed against the refusal and provided the Department with the opinion of a Senior Counsel. Notwithstanding an earlier Counsel's opinion supporting the refusal, the Department having considered the Senior Counsel's opinion and reviewed its decision, granted legal aid to the applicant.

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 25 March 2003

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

Reply Serial No.

CSO042

Question Serial No.

1359

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (1) Processing of Legal Aid Applications

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office,
Government Secretariat

Question: On Programme (1), would the department please provide

- (a) the number of cases where the Director of Legal Aid (DLA) offered legal aid in 2001 and 2002 respectively pursuant to Rule 15(2) of the Legal Aid in Criminal Cases Rules on the ground that it was in the interests of justice to do so; and
- (b) the number of cases in which judges granted legal aid to defendants or appellants in 2001 and 2002 respectively notwithstanding DLA's refusal?

Asked by: Hon. HO Sau-lan, Cyd

<u>Reply:</u>	<u>2001</u>	<u>2002</u>
(a) No. of cases where DLA offered legal aid pursuant to Rule 15(2)	33	34
(b) No. of cases where the Judge granted legal aid notwithstanding DLA's refusal	8	11

Signature _____

Name in block letters S.Y. CHAN

Post Title Director of Legal Aid

Date 21 March 2003

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

Reply Serial No.

CSO043

Question Serial No.

1360

Head: 94 Legal Aid Department

Subhead (No. & title):

Programme: (3) Support Services

Controlling Officer: Director of Legal Aid

Director of Bureau: Director of Administration, Chief Secretary for Administration's Office, Government Secretariat

Question: Under Programme (3) Support Services, regarding the provision of support for the Legal Aid Services Council and the implementation of recommendations of the Council to improve the quality and efficiency of the services of the Legal Aid Department during 2003-04, would the Department inform this Committee about the details of the implementation of recommendations of the Council and the expenditure incurred during 2001 and 2002? Further, what are the details of recommendations of the Council to be implemented and the estimated expenditure during 2003-04?

Asked by: Hon. HO Sau-lan, Cyd

Reply: The Department has implemented the recommendations of the Council in 2001 and 2002 to improve the quality and efficiency of the Department in the following areas:

- A. On the monitoring of assigned-out legal aid cases
 1. Making wider use of limited certificates to ensure justification for continuance of legal aid.
 2. Requiring assigned solicitors to report on the costs of the case upon application for extension of legal aid and as requested.
 3. Issuing and revising Guidance Notes to legal aid practitioners to ensure compliance with the relevant statutory provisions and requirements for handling legal aid cases.
 4. Issuing internal guidelines to in-house Professional Officers to enhance monitoring of assigned-out cases.
- B. On performance standards and conditions for undertaking legal aid work
 1. Assigning matrimonial work to practitioners who have indicated willingness to elect fixed costs.
 2. Requiring assigned solicitors to report on costs as mentioned in A2 above.

C. On customer feedback

Setting up a comprehensive mechanism for collecting customer feedback to gauge the Department's service quality and standard.

D. On appeals against legal aid refusal under Section 26A of the Legal Aid Ordinance (Cap. 91)

The Department has assisted the Council in devising the scheme to provide free counsel certificates to appellants including drawing up the panels of lawyers willing to provide the service.

Apart from item (C) in respect of which a consultant firm was engaged at a fee of \$259,500, the other measures were undertaken without incurring any additional expenditure.

As for 2003-04, the Department will study further measures to strengthen monitoring of assigned out cases in connection with LASC's planned study on costs control and monitoring of case progress and will provide input in reviewing the scheme mentioned in (D) above. The work involved will be absorbed by existing staff without additional expenditure.

Signature _____

Name in block letters _____ S.Y. CHAN

Post Title _____ Director of Legal Aid

Date _____ 21 March 2003