

Legislative Council Panel on Home Affairs

Third Progress Report on the Review of Advisory and Statutory Bodies

Purpose

This paper reports progress made in the review of advisory and statutory bodies in the public sector.

Background

2. In our first and second progress reports, we provided interim reports on the following topics:

- (a) policy responsibility for advisory and statutory bodies under the accountability system (Interim Report No.1);
- (b) classification of advisory and statutory bodies (Interim Report No.2);
- (c) policy responsibility of Home Affairs Bureau in respect of advisory and statutory bodies (Interim Report No.3);
- (d) gender balance in advisory and statutory bodies (Interim Report No.4);
- (e) remuneration of non-official members of advisory and statutory bodies (Interim Report No.5);
- (f) the 6-year rule (Interim Report No.6);
- (g) the 6-board rule (Interim Report No.7); and
- (h) handling conflicts of interest (Interim Report No.8).

Progress

3. In this progress report, we submit the following interim reports for members' reference:

(a) Interim Report No.9 -

"Diversity in Appointments to Advisory and Statutory Bodies" (Annex A);

(b) Interim Report No.10 –

"Review of the Central Personality Index System" (Annex B);

(c) Interim Report No.11 –

"Review of Non-departmental Public Bodies" (Annex C);
and

(d) Interim Report No.12 –

"Proposal for the Establishment of a Consultative Forum" (Annex D).

Way forward

4. We will submit further interim reports on individual topics at future meetings. A draft final report will be prepared after we have completed the current round of reviews.

Home Affairs Bureau
July 2004

Legislative Council Panel on Home Affairs

Review of Advisory and Statutory Bodies

**Interim Report No. 9 –
Diversity in Appointments to
Advisory and Statutory Bodies**

Purpose

This paper sets out our proposal to appoint people from a wider range of backgrounds to advisory and statutory bodies in the public sector so as to reflect the rich diversity of Hong Kong society.

Background

2. Non-official members of advisory and statutory bodies play an important role in public life by providing independent advice to Government, resolving disputes between the Government and aggrieved parties and improving the delivery of public services.

3. Appointment on merit is the basic principle. While appointments to advisory and statutory bodies should respect the needs of the body concerned, we are committed to enhancing diversity in advisory and statutory bodies so that these bodies reflect a fair and equitable representation of the population of Hong Kong.

4. The Government recognizes that women, people with a disability, members of ethnic minorities and young persons have a wide range of skills and experience that may be useful to the work of advisory and statutory bodies. They can offer views and opinions that may otherwise be overlooked. They also provide a useful balance to the interests and views of the more traditional decision-makers.

Proposal

5. In order to improve diversity in appointments to advisory and statutory body, we propose to increase the proportion of appointments held by the following groups:

- (a) women;
- (b) people with a disability;
- (c) members of ethnic minorities; and
- (d) young persons.

Women

6. There are about 500 advisory and statutory bodies in Hong Kong with more than 5,600 members. Women represent 22.8% of the total number of members. The figures are as follows:

Advisory and Statutory Bodies - Number of Members

<u>Men</u>	<u>Women</u>	<u>Total</u>
4,363	1,289	5,652
77.2%	22.8%	100%

7. While there has been steady progress in improving the gender balance, women are still under-represented on these bodies.

8. In January 2004, the Home Affairs Bureau issued a policy guideline to all bureaux and departments informing them that, while no quota has been set, an initial working target of at least 25% for each gender has been set for the purpose of benchmarking. This working target will be reviewed from time to time.

People with a disability

9. We propose that measures should be pursued to identify and encourage suitably qualified people with a disability for appointment to advisory and statutory bodies so that the interests and views of disabled people may be represented.

10. According to a survey conducted in 2000, about 4% of the population of Hong Kong had a form of disability such as hearing difficulty or speech difficulty. People with a disability are generally under-represented in decision-making bodies. Greater opportunities to participate in the work of advisory and statutory bodies should be provided. While no working target will be set at this stage, bureaux and departments should actively pursue measures to target people with a disability for appointment to these bodies.

Members of ethnic minorities

11. The 2001 Population Census found (by way of self-identification) that there were about 344,000 non-Chinese people in Hong Kong, or about 5% of the population. Nearly half of the population of these non-Chinese groups are permanently settled in Hong Kong. The major settled ethnic minority groups are Indians, Filipinos, Nepalese, Pakistanis and Thais.

12. The Government believes that the membership of advisory and statutory bodies should reflect the ethnic and cultural diversity in our community. At present ethnic minorities are under-represented on these boards and committees. More members of ethnic minorities should be appointed, although no working target will be set at this stage.

Young persons

13. Young persons should be able to make an input to the community through serving on advisory and statutory bodies. Appointment to public sector boards and committees is, in fact, a form of empowerment. Although there are people in their twenties who are serving as members on advisory and statutory bodies, young persons

(people in their twenties and thirties) are, on the whole, under-represented.

14. We propose that more young persons (people under 40) should be appointed to boards and committee to provide alternative perspectives and opinions in the decision-making process. However, no working target would be set at this stage.

Way forward

15. We propose to issue a circular memorandum to bureaux and departments to advise and encourage them to target women, people with a disability, members of ethnic minorities and young persons for appointment to advisory and statutory bodies.

Home Affairs Bureau
July 2004

Legislative Council Panel on Home Affairs

Review of Advisory and Statutory Bodies

**Interim Report No.10 –
Review of the Central Personality Index System**

Purpose

This paper reviews the present Central Personality Index System and proposes measures to enhance and upgrade the database.

Background

2. The Central Personality Index is a database maintained by the Home Affairs Bureau. This database contains the names and biodata of political personalities, community leaders and persons who are prepared to serve on public sector advisory and statutory bodies. Through the use of this central database, the Home Affairs Bureau is able to assist Principal Officials and Heads of Department in the appointment process by providing :

- (a) names of potential candidates for the consideration of the appointing authority; and
- (b) essential information on prospective candidates (for example, the correspondence address and contact telephone number of a person nominated for appointment).

3. At present, the Central Personality Index has about 22,000 entries containing biodata on :

- (a) persons who have been given an award under the honours system in Hong Kong (for example, recipients of a Bronze Bauhinia Star or a Medal of Honour);
- (b) past members of advisory and statutory bodies;

- (c) serving members of advisory and statutory bodies; and
- (d) persons who are prepared to serve on an advisory and statutory bodies.

4. The operation of the Central Personality Index system complies fully with the provisions of the Personal Data (Privacy) Ordinance (Cap 486) concerning the protection of personal data. A person will be asked to fill in a curriculum vitae form before his name and biodata are included in the database. A copy of the form is at the *Annex*.

5. The Home Affairs Bureau regularly updates the entries to the Central Personality Index and enhances the database by adding new names to it from time to time.

Outdated Entries

6. Of the 21,832 entries now (i.e., as at 25 June 2004) in the database, only 12,028 (55.1%) have been updated since 1 January 2001. 9,804 entries (44.9%) have not been updated since that date. The main reasons why the entries have not been updated are :

- (a) the persons concerned no longer have time to serve on advisory and statutory bodies;
- (b) they are no longer interested in such work;
- (c) they have left Hong Kong;
- (d) They have passed away; or
- (e) they have changed their correspondence address without notifying the Home Affairs Bureau.

There is a need to maintain an updated database for the selection of potential candidates.

Updated List

7. In order to keep an updated database, it is proposed that the Central Personality Index should be divided into two sub-lists :

(a) List A

This will be the "active" list and will consist of all entries which have been updated at least once in the last three years.

(b) List B

This will be the "inactive" list and will consist of all entries which have not been updated for at least three years.

8. Only the List A will be used for selecting potential candidates for appointments to advisory and statutory bodies. List B will be used mainly for background information and historical research relating to the system of advisory and statutory bodies.

Political Activity

9. Non-official members of advisory and statutory bodies are free to engage in political activities, provided that they are conscious of their public responsibilities and exercise a proper discretion.

10. It has been suggested that, for the sake of openness, persons appointed to advisory and statutory bodies should disclose their affiliations to political parties in Hong Kong or political organizations planning to field candidates for local elections.

11. At present, there is no requirement for a person to be appointed to an advisory or statutory body to disclose his party membership or political affiliations. However, the disclosure of such information would enhance the openness and transparency of the work of advisory and statutory bodies. We therefore propose to amend the curriculum vitae form to include this item of information. However, the provision of this information would be on an optional basis. We intend to review the design of the form shortly.

Home Affairs Bureau
July 2004

個人履歷表 (私人及機密)

CURRICULUM VITAE FORM OF INDIVIDUAL (PRIVATE AND CONFIDENTIAL)

請填妥本表格並交回：
香港灣仔軒尼詩道130號
修頓中心31樓
民政事務局個人檔案部
(經辦人：行政主任(個人檔案))

Please complete and return to :
Secretary for Home Affairs
(Attention: Executive Officer (Personality Index))
Personality Index Section Home Affairs Bureau
31/F Southorn Centre 130 Hennessy Road
Wan Chai Hong Kong

相片
Photo

填寫本履歷表前，請先細閱第四頁的須知事項。為方便將資料輸入電腦，請盡可能以英文填寫。

Please read the **Points to Note** on page 4 carefully before you complete this curriculum vitae form.

香港身份證號碼 HK Identity Card No.:	<input type="text"/>	稱謂：*先生/女士/太太/小姐/博士/醫生/教授/牧師/其他： Title : *Mr/Ms/Mrs/Miss/Dr/Prof/Rev/Others :
中文姓名 Name in Chinese :	英文姓名 Name in English :	
中文姓名電碼 Chinese Name in Code :	姓氏 Surname	名 Given Name
獲頒勳銜及獎章 (包括獲委任為太平紳士) Honours and Awards (including appointment as Justice of the Peace) :		頒授 / 委任日期 Date of Award/Appointment :
出生地點 Place of Birth :	國籍 Nationality :	
出生日期 Date of Birth :	性別：*男/女 Sex : *M/F	婚姻狀況：*未婚/已婚/離婚/分居/喪偶 Marital Status : *Single/Married/Divorced/Separated/Widowed
配偶英文姓名 Name of Spouse in English :	配偶中文姓名 Name of Spouse in Chinese :	
姓氏 Surname	名 Given Name	配偶香港身份證號碼 HK Identity Card No. of Spouse:
配偶中文姓名電碼 Chinese Name of Spouse in Code :	子女數目 No. of Children :	
辦事處地址 Office Address :	住宅地址 Residential Address :	
電話號碼 Telephone No. : 傳真號碼 Facsimile No. : 電郵地址 Email Address :	電話號碼 Telephone No. : 傳真號碼 Facsimile No. : 電郵地址 Email Address :	
請以 *辦事處 / 住宅 地址作為郵寄地址。 Please use the * office / residential address as the mailing address.		
職業 Occupation/Profession (註釋1 Explanatory Note 1) :		
公司 Company / 機構 Organization :	職銜 Post Title :	業務性質 Nature of Business : +
能講或能寫的語言/方言 Languages/Dialects : *中文 Chinese / 英文 English / 廣東話 Cantonese / 普通話 Putonghua 其他Others (請註明 please specify) :		

教育程度 Educational Level : * 小學 Primary / 中學 Secondary / 大專 Post-Secondary / 大學 University
曾就讀的學校 Schools Attended :

獲取資格 Qualifications Attained :

有興趣關注的事項 Interests / 專業知識 Expertise (註釋2 Explanatory Note 2) :

請註明你近親之中現出任政府委員會成員的姓名 :

Please indicate the name(s) of your next of kin who is / are serving on Government boards and committees:

在政府委員會的社會服務 ⁺

Community Service on Government Boards and Committees ⁺

委員會名稱 Name of Board/Committee	現任/曾任職位 (註釋 3) Capacity in which you are serving/have served (Explanatory Note 3)	日期 Date (日day/月month/年year)	
		由 From	至 To

*刪去不適用者 Delete where inappropriate

⁺可按需要另加紙填寫 Please use supplementary sheets if necessary

在志願團體、行業組織、社區組織及政治組織的社會服務（政府委員會除外）⁺
Community Service on voluntary agencies, trade, community and political organizations
(other than Government Boards and Committees)⁺

團體 / 活動名稱 Name of Organization/Activity	現任/曾任職位（註釋 3） Capacity in which you are serving/have served (Explanatory Note 3)	日期 Date	
		由 From	至 To

聲 明 DECLARATION

本人已細閱第四頁的須知事項。本人謹此聲明，本人在此履歷表上所自願填報的個人資料，就本人所知，均屬真確及最新的資料。本人明白並同意，此等個人資料可供作須知事項第1段所述目的之用。

I have read the **POINTS TO NOTE** on page 4. I declare that the personal data voluntarily provided in this curriculum vitae form are accurate and up-to-date to the best of my knowledge. I agree and understand that such personal data can be used according to the purposes stated in paragraph 1 of the Points to Note.

簽署 Signature: _____ 日期 Date: _____

()

姓名以正楷填寫 Name in BLOCK LETTERS

⁺可按需要另加紙填寫 Please use supplementary sheets if necessary

須知事項

使用和透露個人資料

1. 你在本履歷表所提供的個人資料，將由政府總部民政事務局（本局）保存。本局除可使用有關個人資料外，還可將之透露給政府其他各局及部門，供作下列目的之用：

- (a) 與政府委員會的委任有關的活動；
- (b) 方便政府與你本人之間的聯絡；
- (c) 方便頒授獎狀/獎章（若有的話）；及/或
- (d) 與上述目的直接有關的用途。

你於「職業」及「在政府委員會的社會服務」欄內所填報的個人資料，也有可能被公開予公眾參閱。除非獲得你的訂明同意或香港特別行政區的法律所容許，否則你在本履歷表所提供的個人資料將不會用作上述目的以外的用途。

取閱個人資料

2. 你有權：

- (a) 取得本局所保存你個人資料的複本；及
- (b) 如該等資料不準確，要求作出所需的改正。

查詢

3. 凡與本履歷表所收集得的個人資料有關的一切查詢，可向以下人員提出：

香港灣仔軒尼詩道130號
修頓中心31樓
政府總部民政事務局
行政主任（個人檔案）
電話：2835 1575 【電郵地址：eo_pi@hab.gov.hk】

個人聲明

4. 請細閱上文所列的須知事項。如對其內容有任何查詢，請與上述人員聯絡以便作出澄清。透過本履歷表提供的個人資料，完全出於自願。你所提供的個人資料，將會依照個人資料（私隱）條例（第486章）及須知的規定予以處理。請在表格第三頁的聲明內簽名，然後以夾附的信封，將填妥的表格寄回民政事務局局長收。

POINTS TO NOTE

Use and Disclosure of Personal Data

1. Please be informed that the personal data provided by means of this curriculum vitae form will be retained by Home Affairs Bureau, Government Secretariat. The personal data will be used by this Bureau and will be disclosed to other Government bureaux and departments for the following purposes:

- (a) activities relating to appointments to Government boards and committees;
- (b) to facilitate communication between Government and yourself;
- (c) to facilitate the granting of awards (if any); and/or
- (d) any other purpose directly related to the above purpose(s).

The personal data provided under the items of "Occupation/Profession" and "Community Service on Government Boards and Committees" may also be disclosed to the public for information. The personal data provided by means of this curriculum vitae form will not be used for purposes other than mentioned above unless you have given the voluntary and express consent or such use is permitted by the laws of Hong Kong Special Administrative Region.

Access to Personal Data

2. Please be informed that you have the right:

- (a) to obtain a printed copy of your personal data held by this Bureau; and
- (b) to request that necessary correction(s) be made if such data is inaccurate.

Enquiry

3. All enquiries concerning personal data collected by means of this curriculum vitae form should be addressed to:

Executive Officer (Personality Index),
Home Affairs Bureau, Government Secretariat,
31/F, Southorn Centre, 130 Hennessy Road,
Wan Chai, Hong Kong.
Tel: 2835 1575 (Email Address: eo_pi@hab.gov.hk)

Declaration by Individual

4. You are requested to read carefully the Points to Note set out above. If you have any enquiries concerning the Note, please contact the above mentioned officer for clarification. The provision of personal data by means of this curriculum vitae form is voluntary. Your personal data will be treated in compliance with the Personal Data (Privacy) Ordinance (Cap. 486) and the contents of the Note. Please sign the declaration on page 3 of the form and return the completed form to the Secretary for Home Affairs in the enclosed envelope.

註 釋 EXPLANATORY NOTE

- (1) **職業** 請在下列各項選擇**一項**最能代表你的職業：
Occupation/Profession Please choose **one** of the following items that can best describe your occupation/profession:
- | | |
|--|--|
| 會計界 accountancy | 資訊科技界 information technology |
| 漁農界 agriculture & fisheries | 保險業界 insurance |
| 建築界 architectural | 勞工界 (例如：工會幹事)
labour (e.g. executive of labour union) |
| 銀行界 banking | 法律界 legal |
| 飲食界 catering | 醫學界 medical |
| 中醫界 chinese medicine | 演藝界 performing arts |
| 商界 (例如：商會幹事) commercial (e.g. executive of chamber of commerce) | 藥劑界 pharmacist |
| 文化界 culture | 都市規劃界 planning |
| 教育界 education | 出版界 publication |
| 工程界 engineering | 地產及建造界 real estate & construction |
| 金融服務界 (包括股票、證券交易、期貨交易及金銀貿易等)
financial services (including stock exchange, commodities trading and gold & silver exchange, etc) | 宗教界 religious |
| 衛生服務界 health services | 社會福利界 social welfare |
| 高等教育界 higher education | 體育界 sports |
| 酒店界 hotel | 測量界 surveying |
| 進出口界 import & export | 紡織及製衣界 textiles & garment |
| 工業界 industry | 旅遊界 tourism |
| | 航運交通界 transport |
| | 批發及零售界 wholesale & retail |
| | 其他 (請加以說明) others (please specify) |
- (2) **有興趣關注的事項** 請註明你對下列那方面有興趣關注或有專業知識 (可選擇多於一項)：
Interests / 專業知識 Please indicate your interests/expertise in any of the following fields.
Expertise (You may choose more than one item):
- | | |
|---|--|
| 廣告 advertising | 牌照事務 licensing |
| 農業 agriculture | 囚犯福利 prisoners' welfare |
| 上訴委員會 appeal boards | 公共行政 public administration |
| 藝術及文化 arts and culture | 公眾健康及衛生 public health and hygiene |
| 銀行及財經 banking and finance | 宗教問題 religious matters |
| 兒童事務 children matters | 社會福利 social welfare |
| 教育 education | 體育 sports |
| 長者事務 elderly matters | 科技 technology |
| 環境問題 environmental matters | 電訊及廣播 telecommunication and broadcasting |
| 房屋 housing | 旅遊 tourism |
| 工業 (飲食/造船/製衣/鐘錶/建築)
industry
(food/shipbuilding/textile/watch/construction) | 貿易 (批發/零售/入口/出口)
trade (wholesale/retail/import/export) |
| 資訊科技 information technology | 交通 transport |
| 保險 insurance | 信託基金 trustfunds |
| 勞工問題 labour matters | 婦女事務 women matters |
| 治安 law and order | 青年事務 youth matters |
| 法律問題 legal matters | 其他 (請加以說明) others (please specify) |
- (3) **現任/曾任職位** 請註明你是否任職主席、副主席、委員、當然委員或代表委員。
Capacity in which you are serving/have served Please indicate whether as chairman, vice-chairman, member, ex-officio member or representative member.

Legislative Council Panel on Home Affairs

Review of Advisory and Statutory Bodies

**Interim Report No. 11 –
Review of Non-departmental Public Bodies**

Purpose

This paper reviews the role, function and corporate governance of non-departmental public bodies. It also assesses the degree of compliance of non-departmental public bodies to a number of guiding principles for advisory and statutory bodies.

Background

2. The Government relies on a wide range of advisory and statutory bodies to provide advice on its policies, to resolve dispute between the Government and those aggrieved by government actions or decisions, and to deliver public services. There are at present about 500 advisory and statutory bodies in the public sector in Hong Kong, with over 5,600 individual members.

3. Boards and committees in the public sector can be classified into statutory and non-statutory bodies according to their status in law. Statutory bodies are set up by enabling legislation. The powers and functions of these bodies are covered by the relevant legislation. They are either advisory, executive or advisory-cum-executive bodies. Non-statutory bodies, on the other hand, are set up by administrative means (for example, appointment by Chief Executive or a Principal Official). They are mainly advisory bodies.

4. Advisory and statutory bodies can also be classified according to their function as follows:

- (a) advisory boards and committees (for example, the Commission on Youth and the Committee on the Promotion of Racial Harmony);
- (b) non-departmental public bodies (for example, the Equal Opportunities Commission and the Hong Kong Arts Development Council);
- (c) regulatory boards and bodies (for example, the Broadcasting Authority and the Liquor Licensing Board);
- (d) appeal boards (for example, the Administrative Appeals Board and the Hong Kong War Memorial Pensions Appeal Board);
- (e) advisory and management boards of trusts, funds and funding schemes (for example, the Board of Management of the Chinese Permanent Cemeteries and the Chinese Temples Committee);
- (f) public corporations (for example, the Board of the Urban Renewal Authority and the Ocean Park Corporation Board); and;
- (g) miscellaneous boards and committees (for example, the Award Council of the Hong Kong Award for Young People and the Hong Kong Arts Centre)

Non-departmental public bodies

5. Non-departmental public bodies have the following characteristics:

- (a) they have a role in the processes of Government, but is not part of a Government bureau or department;
- (b) they are not commercial enterprises, although they often

operate along commercial lines;

- (c) they provide specific services usually provided by a Government bureau or department or carry out specific functions usually carry out by a Government bureau or department; and
- (d) they enjoy a high degree of autonomy in its day-to-day operations; accordingly, they operate to a greater or lesser extent at arm's length from the Government; they are sometimes referred to as "arms-length organizations" as they are not directly responsible to the Principal Officials responsible for the policy areas under which they operate.

6. There are now 17 non-departmental public bodies with 281 members (posts). The 17 bodies are:

- (a) the Hong Kong Applied Science and Technology Research Institute Company Limited (established by administrative means);
- (b) the Board of Governors of the Prince Philip Dental Hospital (established under section 5 of the Prince Philip Dental Hospital Ordinance (Cap 1081));
- (c) the Consumer Council (established under section 6 of the Consumer Council Ordinance (Cap 216));
- (d) the Council of the Hong Kong Academy for Performing Arts (established under section 10 of the Hong Kong Academy for Performing Arts Ordinance (Cap 1135));
- (e) the Employees Retraining Board established under section 3(2) of the Employees Retraining Ordinance (Cap 423));
- (f) the Equal Opportunities Commission (established under section 63 of the Sex Discrimination Ordinance (Cap 480));

- (g) the Hong Kong Arts Development Council (established under section 3 of the Hong Kong Arts Development Council Ordinance (Cap 472));
- (h) the Hong Kong Examinations and Assessment Authority (established under section 3 of the Hong Kong Examinations and Assessment Authority Ordinance (Cap 261));
- (i) the Hong Kong Housing Authority (established under section 3 of the Housing Ordinance (Cap 283));
- (j) the Hong Kong Productivity Council (established under section 9 of the Hong Kong Productivity Council Ordinance (Cap 1116));
- (k) the Hong Kong Sports Development Board (established under section 3(2) of the Hong Kong Sports Development Board Ordinance (Cap 1149)) (to be abolished shortly);
- (l) the Hong Kong Sports Institute Management Committee (established under sections 3(2)(f) and 5B(2) of the Hong Kong Sports Development Board Ordinance (Cap 1149)) (to be abolished shortly);
- (m) the Hong Kong Tourism Board (established under section 9 of the Hong Kong Tourism Board Ordinance (Cap 302));
- (n) the Hong Kong Trade Development Council (established under section 11 of the Hong Kong Trade Development Council Ordinance (Cap 1114));
- (o) the Hospital Authority (established under section 3 of the Hospital Authority Ordinance (Cap 113));
- (p) the Occupational Safety and Health Council (established under section 3 of the Occupational Safety and Health Council Ordinance (Cap 398)); and

- (q) the Vocational Training Council (established under section 8(1)(a) and (b) of the Vocational Training Council Ordinance (Cap 1130)).

7. Except for the Hong Kong Applied Science and Technology Research Institute Company Limited which is a non-statutory body, all the other non-departmental public bodies are statutory bodies.

Assessment

8. As part of our review of non-departmental public bodies, we have assessed these bodies as a group in accordance with a number of the guiding principles which apply to advisory and statutory bodies. The findings are set out below.

9. Under the rationalization principle, Principal Officials should review boards and committees under their purview on a periodical basis to see whether these bodies should be maintained, re-structured, merged or abolished. Boards and committees which cannot meet new challenges or are obsolete should be wound up or re-structured. In accordance with this principle, the Hong Kong Sports Development Board will be abolished shortly and be replaced by the new Sports Commission and its three Committees, namely the Community Sports Committee, the Elite Sports Committee and the Major Sports Events Committee. Similarly, the Hong Kong Sports Institute Management Committee will be abolished and be replaced by the new Hong Kong Sports Institute, an incorporated body established to undertake matters pertaining to high performance sports training.

10. Under the 25% gender benchmark, Principal Officials should ensure, where practicable, that at least 25% of the members appointed to a board or committee under their purview is women (or at least 25% men). As regards non-departmental public bodies, of a total of 281 members, 75.4% are men and 24.6% are women.

11. Under the declaration of interest principle, Principal Officials should ensure that a declaration of interest system is in place for boards

and committees under their purview. All non-departmental public bodies now have established arrangements for members to declare interests.

12. Under the 6-year rule, Principal Officials should ensure that there is a healthy turnover of members on boards and committees under their purview and should not appoint (or re-appoint) members who have served for more than six years in any one capacity on a board or committee. At present, there are 56 members serving on non-departmental public bodies who have served for more than 6 years.

13. Under the 6-board rule, Principal Officials should ensure that members of boards and committees under their purview do not take on more than they could practically handle and should not appoint (or re-appoint) members who are serving on more than 6 boards/committees. At present, there are 20 members of non-departmental public bodies who are serving on more than six boards and committees.

Corporate governance

14. All non-departmental public bodies are governed by a management board. There are two types of management boards:

- (a) a management board consisting of a part-time Chairman and part-time members, supported by full-time paid staff headed by a Chief Executive Officer; and
- (b) a management board consisting of a full-time executive Chairman and part-time members, supported by a full-time paid staff headed by the Chairman.

15. Of all the non-departmental public bodies, only the Equal Opportunities Commission has an executive Chairman. The others all have a part-time Chairman and a full-time Chief Executive Officer.

16. During the recent controversy concerning the Equal opportunities Commission, it had been suggested that the corporate governance of the Commission could be enhanced if the policy-making

function is exercised by a management board consisting of a non-executive Chairman and part-time members and the executive function of the Commission is exercised by a full-time Chief Executive Officer who is the administrative head of the Commission.

17. We see merit in this proposal and will discuss this proposal with the Commission. Such a move would require amendments to the existing legislation (the Sex Discrimination Ordinance (Cap 480)).

Way forward

18. We will review other types of boards and committees along similar lines.

Home Affairs Bureau
July 2004

Legislative Council Panel on Home Affairs

Review of Advisory and Statutory Bodies

**Interim Report No. 12 –
Proposal for the Establishment of a Consultative Forum**

Purpose

This paper sets out a proposal for the establishment of a consultative forum to advise on major public issues and proposed policy initiatives.

Background

2. The Government relies on a wide range of advisory and statutory bodies in the public sector to provide advice on its policies, to resolve disputes between the Government and aggrieved parties, and to deliver public services. Very simply, advisory and statutory bodies may be defined as bodies which play a role in the processes of government, but are not part of the Government. There are at present about 500 advisory and statutory bodies established by the Government, with over 5,600 individual members.

3. Advisory bodies act as an initial sounding board or think tank for the Government. They do not normally work independently of the Government. Statutory bodies, on the other hand, operate to a greater or lesser extent at arm's length from the Government (arms-length organizations).

4. At the swearing-in ceremony on 1 July 2002, the Chief Executive said in his speech that:

"We will also review and revise the structure covering over

400 advisory boards and committees, so that the organizational arrangements will enable us to consolidate the views and contribution of different sectors including the political, business, academic and grassroots sectors, amongst others."

5. At a press conference held on 17 July 2003, the Chief Executive also said that all policy bureaux would actively strive to open channels of discussion on political issues and to consult professional and committed persons serving on various advisory and statutory bodies on policy matters.

6. In his 2004 Policy Address, the Chief Executive said that:

"The Government recognizes the difficulties faced by the middle class. We understand their grievances, discontent and feelings of uncertainty. We appreciate their values and beliefs, as well their aspiration to participate in politics. We believe that only a stable and fully confident middle class will guarantee the stability and prosperity of Hong Kong. We will strive to involve more middle class people in political affairs.

We will appoint more middle class managers and professionals into the Government's advisory boards and committees. We will interact more with political, social, cultural, religious and professional bodies whose core members come from the middle class. We will foster a closer partnership with academia and tap their expertise and research findings for the policy-making process."

Problems with the present system

7. The current framework of advisory and statutory bodies has two shortcomings:

- (a) it fails to canvass and consolidate the views of business, professional and middle class people and people from

academia who cannot afford the time to sit on boards and committees but who nevertheless would like to contribute to the discussion of public issues; and

- (b) there is no forum for the discussion of general public issues (as all boards and committees have specific terms of reference).

8. There is a need to establish a consultative forum to involve more middle class people in the discussion of political affairs. There is also a need to provide channels for business people, professionals and people from academia who could not afford the time to sit on boards and committees to discuss or comment on political issues of the day.

Proposal

9. It is proposed that a consultative forum be set up to canvass and collate the views of business, professional and middle class people and people from academia on political affairs and public issues. The details of the proposal are as follows:

- (a) a consultative forum consisting of 600 members from the business, professional and academic fields should be appointed to advise the Government on political affairs and public issues;
- (b) the term of appointment should be 1 or 2 years with a regular turnover of members so that fresh ideas and perspectives could be brought in;
- (c) the members of the consultative forum should not normally be members of other advisory and statutory bodies (the idea is to bring in people who are currently outside our network of boards and committees);
- (d) the members of the consultative forum would not be remunerated;

- (e) a small secretariat should be set up to service this body;
- (f) the secretariat should communicate with members by way of
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 - (i) the Internet; and
 - (ii) facsimile transmission.
- (g) the secretariat would regularly email or fax lines-to-take on Government policies and Government press releases to members in the first instance and ask for their feedback; only those who are interested need to reply; their views would be analyzed and summarized into a brief report;
- (h) the secretariat would also regularly email or fax Government consultative documents and policy papers to members in the first instance to canvass their views and comments on the issues; only those who are interested need to reply; their views would be assessed and consolidated into a report;
- (i) the Government should also set up a "chat room" or "newsgroup" on the Internet with access restricted to members of the consultative forum; topics for discussion could be posed on the Internet for discussion by members from time to time; the discussion among members would be monitored and the gist of the discussion would be collated in a paper;
- (j) in case of major policy issues, a seminar should be organized for members of the consultative forum so that the Principal Official concerned and the other Government officials could brief members and listen to their views in person; and
- (k) appointments made to the consultative forum should be announced for public information.

Way forward

10. Further details of the proposed consultative forum would have to be worked out. For example, how should the 600 members be selected and what resources would be used to service the consultative forum. We are now working on the details.

Home Affairs Bureau
July 2004