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12 July 2005

The Honourable Donald TSANG, GBM, JP
The Chief Executive of the
Hong Kong Special Administrative Region
People's Republic of China
Chief Executive's Office
Hong Kong

**Subcommittee on Application of Certain Provisions of the
Prevention of Bribery Ordinance to the Chief Executive**

As you may be aware, the Panel on Constitutional Affairs has been monitoring the review conducted by the Administration on the application of the Prevention of Bribery Ordinance (POBO) to the Chief Executive since early 1999. At the Panel meeting on 30 May 2005, members considered that the lack of progress of the review after a lapse of more than six years was totally unacceptable. The Panel resolved to form a subcommittee under the Panel to follow up the matter. The terms of reference of the Subcommittee are to monitor and examine the issue of devising an appropriate statutory framework of bribery prevention applicable to the Chief Executive, including in particular the review of POBO.

At the meeting of the Subcommittee on 11 July 2005, the Director of Administration said that she was not in a position to advise members whether the control framework of bribery prevention applicable to the Chief Executive should be statutory or otherwise, and the Administration hoped to brief members on the position in late October 2005. Members considered that the Administration should have been able to give a clear policy indication without further delay as to whether the Chief Executive should be subject to the standards of bribery prevention applicable to government servants under POBO, and whether this should be given effect through legislative means. In this connection, the Subcommittee resolved to invite you to attend the next meeting of the Subcommittee to brief members on the Administration's position.

On behalf of the Subcommittee, I am writing to invite you to attend the next meeting of the Subcommittee to be held on **Thursday, 21 July 2005 at 8:30 am in Conference Room A of the Legislative Council Building**. In the event that you cannot attend the meeting, members consider that the Chief Secretary for Administration, the responsible principal official, should attend the meeting on your behalf.

Members look forward to your favourable reply.

(Dr YEUNG Sum)
Chairman of the Subcommittee