



29 April 2009

Dr Camoes Tam Chi-keung
Chairperson
Hong Kong Journalists Association
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348-350 Lockhart Road
Wanchai, Hong Kong

Dear Dr Tam,

Code on Access to Information

Thank you for your letter dated 6 April 2009 to the Chief Executive. I am authorised to reply on his behalf.

The Government is committed to making available to the public as much government information as possible. First introduced in March 1995, the Code on Access to Information (the Code) has been applicable to the whole of Government since December 1996.

The Code enshrines the policy that the Government will make available information that it holds, unless there are valid reasons to withhold it. Under the Code, a person who requests information may apply for a review of the decision of the bureau or department dealing with the request. This person may also lodge a complaint against the bureau or department for failure to properly apply the Code through The Ombudsman, who is independent of the Government.

Between March 1995 and December 2008, the Government processed a total of 23 843 requests for information, 96% (22 779) of which were met in full, 2% (525) in part, while 2% (539) were refused.

In November 2007, The Ombudsman observed that most requests for information were processed within the time frame envisaged by the Code. The Ombudsman also noted that in the great majority of cases, the Government departments concerned satisfactorily handled requests for information without recourse to the reviewing authority, and only a handful of cases required The Ombudsman's intervention.

中華人民共和國香港特別行政區行政長官辦公室

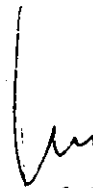
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To further enhance understanding of the Code, the Constitutional and Mainland Affairs Bureau (CMAB) is pursuing various additional measures to step up training in Government bureaux and departments about the Code. In addition, CMAB plans to spend \$1 million in 2009-10 on programmes to enhance public awareness of the Code.

Experience so far demonstrates that the Code has provided an effective means for the public to access information held by the Government. We have no plan to consult the public on introducing legislation for this purpose. We will regularly review the Code and its implementation, and take further measures to promote awareness and compliance with the Code.

Yours sincerely,



(Kenneth Mak)

Private Secretary to the Chief Executive

c.c. Secretary for Constitutional and Mainland Affairs
The Ombudsman
Chairman, LegCo Panel on Constitutional Affairs