

香港特別行政區政府

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THE GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION

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By E-mail

立法會 CB(1)2498/10-11(01)號文件
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15 June 2011

Ms Yue Tin-po
Clerk to Panel
Council Business Division 1
Legislative Council Secretariat
Rm 1038, 10/F
Murray Road Multi-storey Carpark Building
Hong Kong

Dear *Tin-po,*

**Legislative Council Panel on
Information Technology and Broadcasting**

Special Meeting on 16 June 2011

I refer to Item (c) of the Appendix to your letter of 9 June 2011, which enquires about the Financial Secretary's power and the delegated authority for setting up a Financial Secretary Incorporated company and precedent cases. The requested information is provided at the Annex.

Please let me know if you require further assistance

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joey Lam'.

(Miss Joey Lam)

for Government Chief Information Officer

Encl.

Setting-up of Financial Secretary Incorporated Companies

According to section 2 of the Financial Secretary Incorporated Ordinance (Cap 1015), the person for the time being performing the duties of the office of Financial Secretary shall be a corporation sole in the name of "The Financial Secretary Incorporated" (FSI), and the FSI can set up and hold companies. The Financial Secretary has not delegated to any public officer the power to set up companies under section 2 of the Financial Secretary Incorporated Ordinance.

Proposals to set up FSI companies are considered and approved by the Financial Secretary on a case by case basis. In approving such proposals, the Financial Secretary may, in accordance with section 4 of the Financial Secretary Incorporated Ordinance, authorise relevant public officers to exercise his rights and powers as shareholders of the FSI companies. Examples of FSI companies set up under such arrangement include Hong Kong Cyberport Management Company Limited, HKITP (Investment) Limited and the IEC Holdings Limited.

成立財政司司長法團公司

根據《財政司司長法團條例》(第 1015 章)第 2 條，當其時執行財政司司長職務的人為單一法團，須以「財政司司長法團」命名，而財政司司長法團可成立及持有公司。財政司司長並無將《財政司司長法團條例》第 2 條所賦予有關成立公司的權力轉授予任何公職人員。

成立財政司司長法團公司的建議必須由財政司司長按個別情況考慮及審批。在審批該等建議時，財政司司長可根據《財政司司長法團條例》第 4 條，授權相關公職人員行使其作為財政司司長法團公司股東的權利及權力。在此等安排下成立的財政司司長法團公司例子包括香港數碼港管理有限公司、香港國際主題樂園(投資)有限公司及國際展覽中心控股有限公司。