

立法會
Legislative Council

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LC Paper No. CB(2)134/12-13
(These minutes have been seen by
the Administration)

Panel on Constitutional Affairs

Minutes of special meeting
held on Saturday, 26 May 2012, at 9:00 am
in Conference Room 1 of the Legislative Council Complex

- Members present** : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Dr Hon Margaret NG
Hon CHEUNG Man-kwong
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Cyd HO Sau-lan
Hon CHAN Kin-por, JP
Dr Hon Priscilla LEUNG Mei-fun, JP
Hon WONG Kwok-kin, BBS
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Dr Hon Samson TAM Wai-ho, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
- Members attending** : Prof Hon Patrick LAU Sau-shing, SBS, JP
Dr Hon PAN Pey-chyou
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP

Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Dr Hon LAM Tai-fai, BBS, JP
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon WONG Yuk-man

Public Officers : *Sessions One to Three*
attending

Office of the Chief Executive-elect

Mrs Fanny LAW FAN Chiu-fun
Head of the Chief Executive-elect's Office

Constitutional and Mainland Affairs Bureau

Mr Gordon LEUNG Chung-tai
Deputy Secretary for Constitutional and Mainland Affairs

Mr Keith MOK Man-kit
Assistant Secretary for Constitutional and Mainland Affairs

Sessions Four to Six

Office of the Chief Executive-elect

Mrs Fanny LAW FAN Chiu-fun
Head of the Chief Executive-elect's Office

Constitutional and Mainland Affairs Bureau

Mr Gordon LEUNG Chung-tai
Deputy Secretary for Constitutional and Mainland Affairs

Mr Freely CHENG Kei
Principal Assistant Secretary for Constitutional and Mainland
Affairs

Attendance by : *Session One*
invitation

New Territories General Chamber of Commerce

Mr WONG Chun-sing
Chairman

Hong Kong Chinese Culture Development Association

Miss FAN Su
Officer

Mr LAU Man-kam

The Hong Kong Taxi & Public Light Bus Association Limited

Mr TONG Yeuk-fung
President

Mr LAM Hong-ching

Mr TAM Kai-pan

Miss HO Cheuk-ting

Fong Chung Social Service Centre (Central District)

Mr LUI Hung-pan
總幹事

Hong Kong Information Technology Joint Council

Miss Wendy LEE
Member

The Hong Kong Real Estate Association Ltd

Mr Richard LI
Hon Secretary-General and Hon Executive Director

Hong Kong Civic Association

Mr Frederick Lynn
Chairman

Mr KWOK Chung-man

Mid-level Community Development Association

Mr TSUI King-sing
Director

Miss Yolanda NG

Mr IP Tsz-fung

Miss CHEUNG Sze-wing, Spring

Movie Producers & Distributors Association

Mr Tony SHU
Executive Secretary

Mr YEUNG Chak-ming

Wanchai Community Activities Centre

Mr Rox CHAN

Hong Kong Social Concern Group

Mr Arthur LEE

HK Redevelopment Concern Group

Mr NG Yin-keung
Chairman

Session Two

Hong Kong In-Media

Mr WONG Chun-pong
Manager

Mr Johnny CHAN Kwong-ming

Mr Jonathan FONG

Hong Kong New Territories Commercial and Industrial General Association Ltd

Mr SHUM Kei-hoi, Alex

Youth Link

Mr FUNG Sai-fu
President

TTG (HK) Limited

Mr Kevin LIEM Chi-kit
Chief Investment Officer

Hong Kong & Kowloon Trades Union Council

Mr LEE Kwok-keung
Chairman

Mr PANG Yuen-ching

Ms KWOK Siu-ping

Mr WONG Yan-wing

Mr CHAN Tsz-yeung

Miss LI Xue-ping

狼姓蛇餅團

Miss YIM Man-wa
團長

The Hong Kong Printers Association

Mr LAU Hoi-tung
Honorary President

Rental Control Concern Group

Miss Angela LUI Yi-shan
Member

Singleton Housing Concern Group

Mr Joel SUEN Mo
Member

Elderly Housing Concern Group

Mr CHEUNG Chi-keung
Member

Grassroot Housing Concern Group

Mr CHOW Kam-chuen
Member

Working Poor Concern Group

Mr CHICK Kui-wai
Member

Workshop for the House of Hong Kong Literature

Ms TSE Ngo-sheung

Session Three

Mr TANG Wing-kan

Hong Kong Disneyland Resort

Mr Andrew KAM
Managing Director

Hon Wah New Force

Mr LEUNG Kin-cheung
Committee Member, Higher Education Section

Miss Sandy YEUNG

Hong Kong Institute of Real Estate Administrators

Mr Kyran SZE
Vice President

Hong Kong Association of China Travel Organisers Ltd

Mr CHAN Lup-chi
Secretary General

Miss CHING Yin-ling

Mr WAN Kwong-hung

Ms KWAN So-har

Mr TAM Siu-chung

54 Concern Group

Ms LAU May-ching
Secretary

Ms CHIK Yuk-chun

Mr Samson CHAN

Mr MOK Hon-pan

Mr CHAN Ka-ming

Mr TSUI Kwok-fung

The Hong Kong Institute of Surveyors

Dr Lawrence POON
Chairman, Housing Policy Panel

Session Four

Zuni Icosahedron

Mr Mathias WOO
Artistic Director

The Hong Kong Polytechnic University Students' Union

Mr CHAN Man-fai
President

C W Power

Mr LAM Kin-lai
政務工作小組主任

Mr HO Kwok-keung

New Forum

Mr Johnny SO Chun-man
Board Member

New Youth Forum

Mr TANG Wing-yiu
Member

Hong Kong Chinese Culture Development Association Youth
Cultural Ambassador Centre

Mr LAM Siu-hang
Chairman

Mr Haywood CHEUNG

Hong Kong Youth Development Network

Mr Stephane LUN
Vice-Convenor

青年齊心建設網絡

Mr Sutjiatma Joeng Andrea
Vice-Convenor

香港核心價值網絡

Mr Stanley LUI
Convenor

政府架構重組網絡

Mr Thomas YUEN
Convenor

推動政制發展網絡

Mr Chris HUNG
Vice-Convenor

Middle Class Alliance

Ms SO Siu-yin
Secretary

North District Employment Concern Group

Ms Venny KWOK
Convenor

Catholic Diocese of Hong Kong Diocesan Pastoral Centre for
Workers (New Territories)

Mr Augustine YU Siu-po
Program Officer

Bolshevik Bourgeois Policy Institute

Mr LEE Tat-yi
Chairman

Theatre Noir

Mr William YIP
Artistic Director

The Federation of HK, Kln & NT Public Housing Estates
Resident and Shopowner Organizations

Mr HO Wai-man
Executive Director

Hong Kong Association of Youth Development

Mr LAM Cheung-chi
Chief Executive

Hong Kong Public Administration Association

Dr Peter FONG
President

Mr TSANG Kin-fung

Session Five

Taxi & PLB Concern Group

Mr LAI Ming-hung
Chairman

Mr CHENG Sze-lut

International Association of Art Critics Hong Kong

Mr John Batten
President

The Association of Hong Kong Professionals

Mr Lawrence MA Yan-kwok
Vice Chairman

AsiaWorld-Expo Management Limited

Mr Allen HA
Chief Executive Officer

Mr MUI Chiu-lit

Alliance for Universal Pension

Mr AU YEUNG Kwun-tung
Organizer

Chinese Reform Community Services Group

Ms Clarisa KWAN Suk-yee
Chairperson

Hong Kong Chinese Reform Association Ltd

Mr CHAN Shue-biu
Chairman

Percy Club

Mr LEE Chi-keung
President

Kowloon City, Kwun Tong and Wong Tai Sin Residents Association

Mr HO Tsz-kong
Vice Chairman

The Unified Association of Kowloon West Ltd

Mr YEUNG Wai-tak
Vice President

Hong Kong Tertiary Student Alliance

Mr WONG Kwun-lun
Council Member

Hong Kong Wenchang Community Association

Mr CHAN Sim
Chairman

Society of Political Justice

Mr Jason SZETO Tze-long
Member

The Hongkong Hainan Commercial Association

Mr KWOK Yuen-kei
Vice-Secretary General

Kowloon Women's Organisations Federation Ltd

Ms LAU Lai-kan
Member of the Standing Committee

Session Six

The Lantau Economic Development Alliance

Mr LEUNG Siu-tong
Founding Member

The Chinese Gold & Silver Exchange Society

Mr Stephen NG
Governor-Global Market Development

Committee of Community and Social Affairs,
Y Elites Association

Ms Yvonne WONG
Chairman

Internet Professional Association

Mr Witman HUNG
President

Chinese World Interchange Promotion Association

Mr Franki LAW
Chairman

Hong Kong United Youth Science and Technology Association

Mr Joseph LAW
Vice Chairman

Hong Kong Medical & Healthcare Device Industries Association

Mr Benjamin CHAN
Vice-chairman

Kwok Kee Group Ltd

Mr CHU Kwok-kee
Chairman

Zhong Shan – Hong Kong Macau – Taiwan Youth Exchange
Promotion Association

Mr LEE Tan-chun
Chairman

Hong Kong Book & Stationery Industry Association

Mr WONG Kwong-ming

The Grassrooter

Ms LEE Choi-kwan
Chairlady

Hong Kong People's Council on Housing Policy

Mr Ringo CHIANG
Voluntary Secretary

Hong Kong Federation of Anti-Restructuring

Mr Donald CHAN
Chairman

Concern Group Foresee Why's Heart

Mr Duff Tarcissus LI
Non-executive Pantry Assistant

Hong Kong Chiu Chow Chamber of Commerce

Miss LI King-yan
Young Executives Committee

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)3

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Miss Cindy HO
Senior Council Secretary (2)3

Ms Wendy LO
Council Secretary (2)3

Mrs Fanny TSANG
Legislative Assistant (2)3

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I. Re-organisation of the Government Secretariat

[LC Paper Nos. IN25/11-12, CB(3)735/11-12 and CB(2)1908/11-12(01)]

The Chairman welcomed the deputations to the meeting. He said that the purpose of this meeting was to receive views from the public on the proposed re-organisation of the Government Secretariat and related issues. He invited the deputations to give views.

Oral presentation by deputations/individuals

2. Mr WONG Chun-sing presented the views of New Territories General Chamber of Commerce as detailed in its submission [LC Paper No. CB(2)2431/11-12(01)].

3. Miss FAN Su presented the views of Hong Kong Chinese Culture Development Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(01)].

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4. Mr LAU Man-kam considered that there was not sufficient consultation on the re-organisation proposals. In his view, they would not address effectively the unclear delineation of responsibilities of policy bureaux and Government departments and there were more pressing social issues which the Government should deal with, for instance, malpractices of private columbaria operators due to inadequate supply of niches at public columbaria. The fourth-term Government should re-visit its proposals more thoroughly.

5. Mr TONG Yeuk-fung presented the views of The Hong Kong Taxi & Public Light Bus Association Limited as detailed in its submission [LC Paper No. CB(2)2157/11-12(02)].

6. Mr LAM Hong-ching expressed dissatisfaction that the Chief Executive-elect ("CE-elect") did not heed the call for carrying out a public consultation exercise on a re-organisation proposal of such an immense scale. He doubted if the proposed re-organisation was in contravention of the Basic Law. He was of the view that the role of Legislative Council ("LegCo") in scrutinising proposal for incurring public expenditure was grossly undermined in the current exercise.

7. Mr TAM Kai-pan raised objection to the implementation of the re-organisation on 1 July 2012 given that there were doubts on the proposals which would require further clarification by the CE-elect, not the incumbent Government. He said that the CE-elect should form his governing team under the existing structure and put up re-organisation proposals after he had assumed office of the fourth-term Chief Executive ("CE").

8. Miss HO Cheuk-ting objected to the proposed re-organisation because she envisaged that there were structural problems of the proposal and cooperation difficulties within the potential political team.

9. Mr LUI Hung-pan presented the views of Fong Chung Social Service Centre (Central District) as detailed in its submission [LC Paper No. CB(2)2157/11-12(03)].

10. Miss Wendy LEE of Hong Kong Information Technology Joint Council considered that there was an imminent need to implement the re-organisation, particularly the establishment of the Technology and Communications Bureau ("TCB") on 1 July 2012 so as to devise a long term policy on information technology development. She was concerned about the lack of progress on the development of Hong Kong as a data centre since the proposal was put up in 2006.

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11. Mr Richard LI presented the views of The Hong Kong Real Estate Association Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(04)].
12. Mr Frederick Lynn presented the views of Hong Kong Civic Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(05)].
13. Mr KWOK Chung-man presented the views as detailed in his submission [LC Paper No. CB(2)2431/11-12(02)].
14. Mr TSUI King-sing of Mid-level Community Development Association expressed support for the re-organisation proposals for the purpose of improving the Government structure in order to further promote the economic development of Hong Kong, enhance its competitiveness and deal with its socio-economic issues more effectively. To ease the concerns of those who had reservation on the proposals, he suggested that effective governance of the Administration could be enhanced through legislative means such as enacting an archive law.
15. Miss Yolanda NG said that as a district council member, she had conducted a widespread consultation on the re-organisation proposals within the district and people generally indicated their support. She was of the view that the existing Government structure was unable to cope with the development of Hong Kong. She stressed that there was a genuine need for the establishment of TCB and the Culture Bureau ("CB").
16. Mr IP Tsz-fung expressed reservation about the transfer of statutory functions from the Home Affairs Bureau to the new CB under the Public Health and Municipal Services Ordinance (Cap. 132) which involved management of public facilities etc. He was concerned that the new CB would not have the resources to deal with the work. He also expressed doubts about the role of the new CB in taking over the management of public libraries, sports centres etc. from the Leisure Services Branch of the Leisure and Cultural Services Department. Mr IP further proposed that a reward and punishment system be introduced to improve the Political Appointment System ("PAS") and suggested that regular reviews of PAS should be conducted.
17. Miss CHEUNG Sze-wing, Spring presented the views as detailed in her submission [LC Paper No. CB(2)2157/11-12(06)].

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18. Mr Tony SHU presented the views of Movie Producers & Distributors Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(07)].
19. Mr YEUNG Chak-ming presented the views as detailed in his submission [LC Paper No. CB(2)2431/11-12(03)].
20. Mr Rox CHAN of Wanchai Community Activities Centre said that the proposed re-organisation of the Government could effectively improve its efficiency and effectiveness and implement policies conducive for economic development. The Centre fully supported the re-organisation proposals and urged that it should be approved by LegCo as soon as possible.
21. Mr Arthur LEE of Hong Kong Social Concern Group expressed the views that the popularity rating of the CE-elect had been high since the CE election and his proposals to address the inherent problems of the existing Government structure should be supported.
22. Mr NG Yin-keung presented the views of HK Redevelopment Concern Group as detailed in its submission [LC Paper No. CB(2)2431/11-12(04)].
23. Mr WONG Chun-pong presented the views of Hong Kong In-Media as detailed in its submission [LC Paper No. CB(2)2157/11-12(08)].
24. Mr Johnny CHAN Kwong-ming considered that the re-organisation proposals would bring about improved governance and attract young talents to join the Government for nurturing political talents for the constitutional development of Hong Kong.
25. Mr Jonathan FONG presented the views as detailed in his submission [LC Paper No. CB(2)2157/11-12(09)].
26. Mr SHUM Kei-hoi, Alex presented the views of Hong Kong New Territories Commercial and Industrial General Association Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(10)].
27. Mr FUNG Sai-fu presented the views of Youth Link as detailed in its submission [LC Paper No. CB(2)2157/11-12(11)].
28. Mr Kevin LIEM Chi-kit of TTG (HK) Limited was of the view that the re-organisation proposal would enhance the efficiency of the Government. He had a high expectation that the new governing team would bring substantial improvements to the development of Hong Kong.

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29. Mr LEE Kwok-keung of Hong Kong & Kowloon Trades Union Council commented that although they agreed that some existing policy bureaux should be re-organised for improved efficiency, they did not support the proposed creation of the rank and posts of Deputy Secretary of Department ("DSODs") because the decision-making process would be delayed with the creation of an additional layer of management.

30. Mr PANG Yuen-ching presented the views as detailed in his submission [LC Paper No. CB(2)2157/11-12(12)].

31. Ms KWOK Siu-ping presented the views as detailed in her submission [LC Paper No. CB(2)2157/11-12(13)].

32. Mr WONG Yan-wing presented the views as detailed in his submission [LC Paper No. CB(2)2157/11-12(14)].

33. Mr CHAN Tsz-yeung presented the views as detailed in his submission [LC Paper No. CB(2)2153/11-12(01)].

34. Miss LI Xue-ping presented the views as detailed in her submission [LC Paper No. CB(2)2153/11-12(02)].

35. Miss YIM Man-wa of 狼姓蛇餅團 expressed objection to the proposed re-organisation and she stressed the principle of procedural justice. In her view, there was a lack of a territorial-wide public consultation on the proposal. She considered that creation of an additional layer of politically appointed officials ("PAOs") would end up with overlapping functions and lowered efficiency of the Government.

(At that juncture, the Chairman reminded members of the public at Public Gallery that they should remain silent and should not disrupt the proceeding of the meeting.)

36. Mr LAU Hoi-tung presented the views of the Hong Kong Printers Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(15)].

37. Miss Angela LUI Yi-shan of Rental Control Concern Group was of the view that the proposed re-structuring, which put housing and land production under the same policy bureau, would in theory provide better coordination in the timing of land supply to meet the demand for public housing. She stressed that there should be a long-term policy to deal with the housing needs of the grass-root people and reduce the waiting time for public housing.

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38. Mr Joel SUEN Mo of Singleton Housing Concern Group expressed the view that it supported the proposed re-organisation and requested the new-term Government to cancel the Quota and Points System which was currently applicable to non-elderly single applicants so that they could be allocated public housing flats as early as possible.
39. Mr CHEUNG Chi-keung of Elderly Housing Concern Group hoped that the Government would put in more resources to effectively address the housing needs of the elderly by expediting the allocation of public housing units to them. He said that he had applied for public housing on 4 November 2010 and up till present he was not yet allocated a flat.
40. Mr CHOW Kam-chuen of Grassroot Housing Concern Group expressed the view that it supported the proposed re-organisation and hoped that the new-term Government would build more public housing to shorten the waiting time of the grass-root people.
41. Mr CHICK Kui-wai of Working Poor Concern Group hoped that the proposed re-organisation would resolve the problem about the lack of coordination in land planning and public housing supply.
42. Ms TSE Ngo-sheung of Workshop for the House of Hong Kong Literature expressed the views that it was concerned about the manpower and financial resources to be allocated to CB, and the Secretary for Culture ("S for C") should have the relevant background in the profession.
43. Mr TANG Wing-kan presented the views as detailed in his submission [LC Paper No. CB(2)2157/11-12(17)].
44. Mr Andrew KAM presented the views of Hong Kong Disneyland Resort as detailed in its submission [LC Paper No. CB(2)2157/11-12(19)].
45. Mr LEUNG Kin-cheung presented the views of Hon Wah New Force as detailed in its submission [LC Paper No. CB(2)2157/11-12(20)].
46. Miss Sandy YEUNG hoped that the re-organisation proposal would be endorsed as soon as possible so that works such as public housing construction, planning for both public and private housing would be coordinated more effectively and smoothly.

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47. Mr Kyran SZE presented the views of Hong Kong Institute of Real Estate Administrators as detailed in its submission [LC Paper No. CB(2)2431/11-12(05)].

48. Mr CHAN Lup-chi presented the views of Hong Kong Association of China Travel Organisers Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(22)].

49. Miss CHING Yin-ling presented the views as detailed in her submission [LC Paper No. CB(2)2431/11-12(06)].

50. Mr WAN Kwong-hung presented the views as detailed in his submission [LC Paper No. CB(2)2431/11-12(07)].

51. Ms KWAN So-har presented the views as detailed in her submission [LC Paper No. CB(2)2431/11-12(08)].

52. Mr TAM Siu-chung expressed concerns over the inadequacy of public consultation on the re-organisation proposal. He was of the view that the proposal would reduce the efficiency of the Government as many layers of Principal Officials ("POs") would be created.

53. Ms LAU May-ching presented the views of 54 Concern Group as detailed in her submission [LC Paper No. CB(2)2431/11-12(09)].

54. Ms CHIK Yuk-chun presented the views as detailed in her submission [LC Paper No. CB(2)2431/11-12(10)].

55. Mr Samson CHAN presented the views as detailed in his submission [LC Paper No. CB(2)2431/11-12(11)].

56. Mr MOK Hon-pan expressed disappointment about the re-organisation proposal. He also considered it highly undesirable that the Administration had to rely on two meetings of the Panel to receive views from the public on the proposal.

57. Mr CHAN Ka-ming objected to the proposed re-organisation and suggested that the resources should be deployed to other purposes to address imminent needs and problems of the community. As the proposed DSoDs might act up the posts of Secretary of Department ("SoD") during the absence of Chief Secretary for Administration ("CS") or Financial Secretary ("FS"), Mr CHAN doubted whether DSoDs would have sufficient knowledge to deal with the policy portfolios currently not under their purview in the proposal.

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58. Mr TSUI Kwok-fung queried why the inefficiency of the Administration could not be improved with the increase in manpower in connection with previous re-organisation exercise of the Government Secretariat , and why the Administration had not conducted any review of PAS.

59. Dr Lawrence POON presented the views of the Hong Kong Institute of Surveyors as detailed in its submission [LC Paper No. CB(2)2157/11-12(21)].

60. Mr Mathias WOO of Zuni Icosahedron enquired about the job specifications, appointment criteria and performance appraisal mechanism of PAOs. While he indicated support for the establishment of a CB, he was concerned about the appointment criteria for the post of S for C as well as the details of the functions and work of CB.

61. Mr CHAN Man-fai of The Hong Kong Polytechnic University Students' Union expressed its views about the creation of any additional layer of management which would have overlapping functions with existing PAOs and there was an unclear delineation of responsibilities.

62. Mr LAM Kin-lai presented the views of C W Power as detailed in its submission [LC Paper No. CB(2)2431/11-12(12)].

63. Mr HO Kwok-keung commented that the information provided in the re-organisation proposals was incomplete; and the new governing team should be formed on the basis of the existing structure. He suggested that a re-organisation of the Government Secretariat should only be proposed by the Administration after a review of the existing administrative structure had been conducted.

64. Mr Johnny SO Chun-man presented the views of New Forum as detailed in its submission [LC Paper No. CB(2)2157/11-12(23)].

65. Mr TANG Wing-yiu presented the views of New Youth Forum as detailed in its submission [LC Paper No. CB(2)2157/11-12(24)].

66. Mr LAM Siu-hang of Hong Kong Chinese Culture Development Association Youth Cultural Ambassador Centre expressed the view that it supported the establishment of CB which would strengthen support to local artists and arts groups, in particular young artists and new arts groups, and would provide more room for development and make available additional resources to promote cultural exchange and cooperation between Hong Kong and other localities.

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67. Mr Haywood CHEUNG supported the proposed creation of the post of Deputy Chief Secretary for Administration ("DCS") who would reach out to gauge public sentiments and collect public opinions at the policy formulation stage, including the needs of the people in the New Territories and the interests of the small and medium enterprises. He also supported the proposed creation of the Deputy Financial Secretary ("DFS") post and the restructuring of the Commerce and Economic Development Bureau ("CEDB") into TCB and the Commerce and Industries Bureau ("CIB") in order to enhance the competitiveness and promote the economic development of Hong Kong.
68. Mr Stephane LUN presented the views of Hong Kong Youth Development Network as detailed in its submission [LC Paper No. CB(2)2157/11-12(25)].
69. Mr Sutjiatma Joeng Andrea presented the views of 青年齊心建設網絡 as detailed in its submission [LC Paper No. CB(2)2157/11-12(26)].
70. Mr Stanley LUI presented the views of 香港核心價值網絡 as detailed in its submission [LC Paper No. CB(2)2157/11-12(27)].
71. Mr Thomas YUEN presented the views of 政府架構重組網絡 and expressed support for the creation of two DSoD posts to enhance the efficiency of the Government and the establishment of CB for the formulation, coordination and implementation of cultural policy.
72. Mr Chris HUNG presented the views of 推動政制發展網絡 as detailed in its submission [LC Paper No. CB(2)2157/11-12(28)].
73. Ms SO Siu-yin of Middle Class Alliance expressed support for the proposed re-organisation including the proposed creation of two DSoD posts, the establishment of CB, and the restructuring of CEDB.
74. Ms Venny KWOK of North District Employment Concern Group expressed the view that PAS had failed to achieve the desired results. She asked how the provision of additional manpower resources to the Government could lead to improvement in the welfare of the grass-root people; and what were the specific pledges that the new-term Government would deliver to the grass-root people upon the implementation of the proposed re-organisation.
75. Mr Augustine YU Siu-po of Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (New Territories) expressed the view that PAS did

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not achieve the desired results, and the information provided in the re-organisation proposal was unclear and there was no widespread consultation on the proposal. He requested that the relevant Panels should meet to discuss the proposed redistribution of various policy responsibilities under the proposal.

76. Mr LEE Tat-yi presented the views of Bolshevik Bourgeois Policy Institute as detailed in its submission [LC Paper No. CB(2)2157/11-12(29)].

77. Mr William YIP presented the views of Theatre Noir as detailed in its submission [LC Paper No. CB(2)2431/11-12(13)].

78. Mr HO Wai-man presented the views of the Federation of HK, Kln & NT Public Housing Estates Resident and Shopowner Organisations as detailed in its submission [LC Paper No. CB(2)2157/11-12(30)].

79. Mr LAM Cheung-chi presented the views of Hong Kong Association of Youth Development as detailed in its submission [LC Paper No. CB(2)2431/11-12(14)].

80. Dr Peter FONG presented the views of Hong Kong Public Administration Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(31)].

81. Mr TSANG Kin-fung considered that PAS was ineffective and he cast doubts about the suitability of appointment in respect of the potential candidates to be appointed as Directors of Bureaux ("DoBs").

82. Mr LAI Ming-hung of Taxi & PLB Concern Group indicated support for the proposed restructuring of the Government Secretariat.

83. Mr CHENG Sze-lut expressed dissatisfaction that there was no consultation on the re-organisation proposal which was intended to be implemented within a short time. He also doubted the appropriateness of the proposed redistribution of functions amongst the policy bureaux.

84. Mr John Batten of International Association of Art Critics Hong Kong said that while he did not have a very strong opinion about the reshuffling of different portfolios to be put under CB, he considered that there was no need to rush through the re-organisation proposal. He urged that the Administration should consider public views.

85. Mr Lawrence MA Yan-kwok of The Association of Hong Kong Professionals said that the proposed re-organisation was considered necessary to cope with the increase in workload of SoDs and DoBs in connection with

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explaining Government policies to the community and canvassing support from members of the legislature and political parties; and it was necessary to have a dedicated bureau to promote the culture of Hong Kong, citing the example of Korea.

86. Mr Allen HA presented the views of Asia World-Expo Management Limited as detailed in its submission [LC Paper No. CB(2)2157/11-12(32)].

87. Mr MUI Chiu-lit supported the proposal. He considered that the funding required of the re-organisation proposals only represented 0.1% of the total expenditure on the salary of civil servants which was not that substantial when compared with the results to be achieved. He was concerned that a deferment of its implementation would hinder the operational efficiency of the Government.

88. Mr AU YEUNG Kwun-tung presented the views of Alliance for Universal Pension as detailed in its submission [LC Paper No. CB(2)2431/11-12(15)].

89. Ms Clarisa KWAN Suk-ye presented the views of Chinese Reform Community Services Group as detailed in its submission [LC Paper No. CB(2)2157/11-12(34)].

90. Mr CHAN Shue-bin presented the views of Hong Kong Chinese Reform Association Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(35)].

91. Mr LEE Chi-keung presented the views of Percy Club as detailed in its submission [LC Paper No. CB(2)2157/11-12(36)].

92. Mr HO Tsz-kong presented the views of Kowloon City, Kwun Tong and Wong Tai Sin Residents Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(37)].

93. Mr YEUNG Wai-tak presented the views of the Unified Association of Kowloon West Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(38)].

94. Mr WONG Kwun-lun of Hong Kong Tertiary Student Alliance expressed the views that they strongly supported the proposed re-organisation, and the establishment of CB which was necessary for development of the culture of Hong Kong.

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95. Mr CHAN Sim presented the views of Hong Kong Wenchang Community Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(39)].

96. Mr Jason SZETO Tze-long of Society of Political Justice expressed doubts over the appropriateness of the CE-elect to put forward the re-organisation proposal through the incumbent Government. He considered that it should be done after 1 July 2012.

97. Mr KWOK Yuen-kei presented the views of The Hongkong Hainan Commercial Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(40)].

98. Ms LAU Lai-kan presented the views of Kowloon Women's Organisations Federation Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(41)].

99. Mr LEUNG Siu-tong presented the views of the Lantau Economic Development Alliance as detailed in its submission [LC Paper No. CB(2)2157/11-12(42)].

100. Mr Stephen NG presented the views of the Chinese Gold & Silver Exchange Society as detailed in its submission [LC Paper No. CB(2)2431/11-12(16)].

101. Ms Yvonne WONG presented the views of Committee of Community and Social Affairs, Y Elites Association as detailed in its submission [LC Paper Nos. CB(2)2068/11-12(17) and CB(2)2431/11-12(17)].

102. Mr Witman HUNG presented the views of Internet Professional Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(44)].

103. Mr Franki LAW presented the views of Chinese World Interchange Promotion Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(45)].

104. Mr Joseph LAW presented the views of Hong Kong United Youth Science and Technology Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(46)].

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105. Mr Benjamin CHAN presented the views of Hong Kong Medical & Healthcare Device Industries Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(47)].

106. Mr CHU Kwok-kee presented the views of Kwok Kee Group Ltd as detailed in its submission [LC Paper No. CB(2)2157/11-12(48)].

107. Mr LEE Tan-chun presented the views of Zhong Shan – Hong Kong Macau – Taiwan Youth Exchange Promotion Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(49)].

108. Mr WONG Kwong-ming presented the views of Hong Kong Book & Stationery Industry Association as detailed in its submission [LC Paper No. CB(2)2157/11-12(50)].

109. Ms LEE Choi-kwan said that The Grassrooter considered that the proposed re-organisation would cause overlapping functions within the administrative structure and could not help resolve the problem of poverty of the elderly. She requested the new-term Government to form a task force to work out a proposal for universal retirement protection and carry out public consultation in this regard.

110. Mr Ringo CHIANG of Hong Kong People's Council on Housing Policy expressed the views that they supported the setting up of the Housing, Planning and Lands Bureau ("HPLB"), and requested that the new Bureau would work out a white paper on housing policy as soon as possible.

111. Mr Donald CHAN of Hong Kong Federation of Anti-Restructuring expressed the views that they objected to the proposed re-organisation which would not enhance the efficiency of the Government and would waste public money.

112. Mr Duff Tarcissus LI of Concern Group Foresee Why's Heart expressed the views that they were not clear about the responsibilities of the 57 posts proposed to be created under the proposed re-organisation and they objected to the proposed setting up of CB.

113. Miss LI King-yan presented the views of Hong Kong Chiu Chow Chamber of Commerce as detailed in its submission [LC Paper No. CB(2)2157/11-12(53)].

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Discussion

Public consultation

114. Ms Emily LAU said that there were differences in views within the community towards the re-organisation proposals. Ms LAU considered that the Administration should consult the public on the proposed re-organisation before seeking its implementation and she sought views from deputations on how the differences in views could be resolved. Dr Lawrence POON of the Hong Kong Institute of Surveyors said that while he attached importance to the need for public consultation with the relevant stakeholders, he considered that it might not be too practical for the CE-elect who was returned on 25 March 2012 to carry out a consultation exercise over a relatively long consultation period. He suggested that the future CE election might need to be advanced to cater for a change of Government. Responding to Ms Emily LAU's enquiry on the possible impact, Dr POON said that it would not be desirable for the fourth-term Government to operate under the existing structure as it would affect the prospective appointment of suitably qualified personnel and would cause confusion to work and staffing arrangements of the relevant DoBs. Mr IP Tsz-fung, however, considered that a consultation exercise of a shorter duration should still be conducted in order to achieve a broad consensus within the community. Mr IP also suggested that the Administration should conduct a review on how to enhance public accountability of PAOs.

115. Noting that those who were in support of the re-organisation proposals were of the view that LegCo should facilitate early passage of the Administration's proposal to provide a suitable Government structure to facilitate the CE-elect, who had a high popularity rating, to implement his policies, Ms Audrey EU explained that the legislature was obliged to examine proposals with resources implications to ensure the proper use of public funds, and the popularity rating of the CE-elect should not be a concern. Dr Margaret NG expressed a similar view, adding that probing into details of the implementation of these proposals was necessary in order to justify the substantial amount of public expenditure incurred.

116. Mr TSUI Kwok-fung queried why the CE-elect had not ever expressed any opinion about the Government structure despite the fact that he had served in Executive Council ("ExCo") for such a long period. Head of the Chief Executive-elect's Office ("H/CEEEO") explained that there was a clear difference between the work of a Convenor of the ExCo and CE; and the involvement whilst serving as the ExCo Convenor was mainly advisory.

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117. Mrs Sophie LEUNG and Mr Jeffrey LAM stressed that the new-term government should be given the freedom to put in place a structure of the Government Secretariat which could better fulfill the policy objectives and priorities pledged by the CE-elect. They considered that the new governing team should be in its full complement on 1 July 2012 and a delay in the implementation of the re-organisation proposals was not desirable and not conducive to launching of new policies of the CE-elect.

118. Noting the view that the re-organisation proposal would improve operational efficiency of the Government, Mr Albert HO expressed doubt as to whether the inefficiency of the Administration was due to failure in policy decisions of the top management of the Government structure. Mr William YIP of Theatre Noir said that apart from improving efficiency, he supported the proposed re-organisation on the ground that it would help enhance communication and coordination amongst policy bureaux. Dr Peter FONG expressed the view that policy decision of the top management was of paramount importance while an appropriate government structure could put policy decisions into practice in an efficient manner.

119. Mr LEUNG Kwok-hung suggested that the CE-elect should set out his major pledges for improving the welfare of Hong Kong people to be delivered by the fourth-term Government in order to obtain the necessary funding approval of the current LegCo for implementing the proposed re-organisation. H/CEEO said that both the re-organisation proposals and the initiatives for improvement of welfare were to be pursued in parallel. Mr LEUNG considered that establishing a community-wide retirement protection scheme should be a top priority and he queried why the fourth-term Government did not put up a funding proposal in that regard.

Political Appointment System

120. Dr Margaret NG was concerned about the proposed arrangement for a DoB to engage one or more Political Assistants. Noting that there had been severe criticism about the high remuneration level of Political Assistants and that there was a lack of clear delineation of the role of Political Assistants, Dr NG invited views of deputations on their expectation about the work of Political Assistants. Mr CHENG Sze-lut said that since Hong Kong was not based on party politics, the political appointees were only accountable to CE personally and hence their performance was not subject to public monitoring. He considered that Political Assistants should have a good understanding of the relevant policies with sufficient knowledge and expertise in the relevant fields.

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121. Ms Miriam LAU said that while she welcomed the undertaking of the CE-elect's Office to introduce a mid-term review of PAS, she considered that the Administration should set out its assessment criteria on measuring the public accountability of PAOs and the disciplinary actions to be taken. H/CEEO said that PAS would be improved and PAOs would be responsible for reaching out to the community, explaining policies to the community and canvassing support from members of the legislature and political parties. She suggested that further deliberation on assessment criteria would be needed. She urged that the re-organisation proposals should be supported by LegCo to enable a smooth running of the new governing team.

122. Mr LAU Kong-wah said that the deputations and individuals attending the meeting had expressed concern that the pace of development of Hong Kong had become stagnant, and the general public had high expectations on the new governing team to bring about changes to the current situation through implementing the re-organisation proposals. He invited the views of Mr MUI Chiu-lit on the improvement to PAS. Mr MUI Chiu-lit suggested that the CE-elect should take action to dispel doubts on the appointment criteria to be adopted by DoBs in selecting Political Assistants for enhancing transparency.

123. H/CEEO said that PAS should be improved in the light of operational experience through improvement measures, including PAOs were to reach out to gauge public sentiments and collect public opinions at the policy formulation stage. In terms of personal qualities, she said that commitment, ability and political capability were the basic selection criteria which the CE-elect would apply in recruiting PAOs; and the appointment would be made on the basis of merits. H/CEEO added that the proposed mid-term review would focus on four aspects, namely, (a) consolidating the experience in implementing PAS in the past years; (b) studying the gap between the performance of PAS and the public's expectations; (c) with reference to the practice and experience of other countries and regions, setting out the requirements and standards regarding the accountability of PAOs, and putting in place a reward and penalty system with relevant policies and measures; and (d) putting forward proposals to further improve PAS, such as the pay adjustment mechanism, process of appointment, post-service employment arrangements and a "revolving door" mechanism. H/CEEO said that the new term Government would set overall and specific objectives so that both the political team and individual officials would know exactly what were expected and required of them in terms of the implementation of policy commitments.

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124. Ms Emily LAU expressed concern that the measures to be put in place after conducting the mid-term review would not be binding on the political appointees unless these measures were introduced prior to their appointment. Noting that Mr HO Tsz-kong was of the view that the remuneration of PAOs should not be necessarily linking to the pay level of private sector, Ms LAU invited his view on the remuneration for DoBs. Mr HO Tsz-kong considered that the remuneration of Members was on the low side. However, the public might find it more acceptable for an increase in the remuneration for DoBs to be considered in the light of their actual performance. Mr HO Tsz-kong further suggested that an incentive bonus could be offered to those whose performance had met the required standard.

Deputy Secretaries of Departments

125. Responding to Ms Emily LAU, Mr LEE Kwok-keung of Hong Kong & Kowloon Trades Union Council considered that enhancing communication amongst DoBs did not necessarily have to be achieved by creating an additional layer of management. As there was a lack of one-stop service when government departments were approached for assistance, for instance, matters relating to academic accreditation and vocational qualifications would touch on the policy portfolios of labour and education under two separate bureaux. He further considered that the manifesto of the CE-elect was for a publicity purpose and the CE-elect could not be regarded as having conducted a consultation exercise in this regard.

126. Mr LAU Kong-wah echoed the views of Mr LEUNG Siu-tong and Mr Witman HUNG and invited their views on the need for enhancing coordination of cross-cutting policy issues in their dealings with Government bureaux and departments. Mr LEUNG Siu-tong said that the lack of further development in Tung Chung was a good example to reflect the lack of high-level coordination within the Government when cross-cutting policy issues were involved.

127. Mr WONG Yung-kan enquired about the expectation of deputations on how the proposed creation of DCS and DFS would contribute to the economic development of Hong Kong. Mr Haywood CHEUNG said that since CS and FS were each responsible for a wide scope of duties, he hoped that DCS and DFS would be instrumental in channeling views of the local districts to the top echelon of the Administration and focusing on the further development of Hong Kong as a leading international financial centre.

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Culture portfolio

128. Mr WONG Yung-kan shared the views of Miss FAN Su of the Hong Kong Chinese Culture Development Association about the aim of promotion of Chinese culture through establishing a CB and enquired about the suggested measures to achieve the purpose. Ms FAN said that CB would help cultivate an environment that would nurture the development of culture and arts.

129. Ms Audrey EU said that LegCo was not involved in the choice of appointment and she noted the concerns of Ms TSE Ngo-sheung of Workshop for the House of Hong Kong Literature on the prospective appointment to the post of S for C. Responding to Ms EU, Ms TSE said that the work of formulating a comprehensive strategy for fostering the development of arts and culture in Hong Kong should require a leader with sufficient background, experience and expertise and the position should not be taken up by a person not having the relevant background.

130. Mr Mathias WOO added that the cultural sector was generally agreed that CB should be headed by someone well known and well respected in the cultural circle, instead of someone who had no experience in cultural work. Responding to Dr Margaret NG, Mr Mathias WOO said that experience in other countries was that an elected official would be complemented by professional staff with the relevant expertise. However, in case of officials not returned by election, it would be quite an exceptional circumstance for a candidate who had no relevant professional background but was appointed solely due to his political background. He stressed the need for the CE-elect to make public his selection criteria to enhance transparency. Responding to Ms Emily LAU on whether there would be any problem if the post of S for C was to be taken up by a non-professional, Mr WOO said that if any one could take up the post, the policy portfolio of culture could be entrusted to any existing policy bureau and the establishment of a new bureau for the purpose might not be justified.

131. As regards appointment criteria, H/CEEO advised that the CE-elect had made it explicit that vision, commitment and ability and political capability were the basic selection criteria. The team should be able to engage members of the public and stake-holders, explain to them various policies and solicit their support through communication and interaction. Ms Cyd HO noted that according to H/CEEO, CB would accord due respect to the freedom of expression in culture and arts, uphold diversity in cultural development etc. She stressed that there should be a mechanism to ensure its independence in the protection of freedom of expression in creative industries.

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Technology and communications portfolio

132. Ms Emily LAU shared the concerns of Mr WONG Chun-pong of Hong Kong In-Media regarding the protection of press and media freedom. Mr WONG Chun-pong said that there was no concrete proposal in the manifesto of CE-elect as to how press freedom would be protected. He also expressed concern about the community broadcast function of RTHK which was only a short term measure and was of little help in terms of training and nurturing talents.

Housing, planning and land portfolio

133. Ms Audrey EU noted that the public had high expectation on the new governing team to bring improvement to the efficiency of the Administration to address livelihood concerns including accommodation for the elderly, single persons and youngsters, cultural development and independence of media. She asked whether and how HPLB could address the issue of lack of land supply for public housing, an issue which could not be effectively dealt with by the Secretary for Development.

134. H/CEE0 said that the CE-elect had already indicated in his manifesto that his main focus was on housing including shortening the average waiting period for non-elderly single applicants who were over the age of 35 to three years, conducting a comprehensive survey of sub-divided living units, caged homes and cubicle apartments, bringing forward by one year the completion of around 35 000 Public Rental Housing flats originally scheduled for completion in later years of the next five years. The CE-elect proposed to establish the HPLB to bring the assessment of housing demand and supply and the planning of land use under the same bureau. This would render the coordination of land development and housing construction more effective.

135. Mr WONG Ting-kwong shared the concerns about the housing needs of the elderly as expressed by Mr CHEUNG Chi-keung of Elderly Housing Concern Group and Mr CHOW Kam-chuen of Grassroot Housing Concern Group. Responding to Mr WONG, Mr CHEUNG Chi-keung said that housing had posed a serious problem to the elderly and he hoped that Members would represent them to continue to pursue the matter with the fourth-term Government.

136. Ms Audrey EU shared the concerns of Mr NG Yin-keung of HK Redevelopment Concern Group that restructuring of the Development Bureau might lead to a lack of coordination in tree management policy in future as the

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existing tree management work was carried out by various departments. H/CEEO said that policy responsibility on tree management would be transferred to CS upon restructuring of the Development Bureau. She added that urban renewal and development of public and private housing would be centralised under the policy responsibilities of HPLB to be reported to FS.

137. In response to Mr LAU Kong-wah, Mr LEE Tat-yi said that he had confidence in the new CE making a difference to the people's livelihood. Mr HO Wai-man said that withholding the re-organisation proposals would deter the effective implementation of policies of the new-term Government.

Commerce and industries portfolio

138. Mrs Sophie LEUNG offered her views on developing new industries in particular the technology industry in order to expand the career prospect of young people through providing a wider variety of jobs. She attached great importance to future development of manpower, education as well as technology and communications upon the re-organisation.

139. In response to the enquiry of Mr Jeffrey LAM, Mr Allen HA said that the new-term Government should focus more on long term and strategic planning for economic development; and it should grasp the opportunities arising from the rapid economic growth of the Mainland.

Transport and works portfolio

140. Mr WONG Ting-kwong invited views of Mr Andrew KAM of Hong Kong Disneyland Resort on how the re-organisation proposal would impact on the development of Lantau Island. Mr Andrew KAM considered that Lantau would benefit from the development of transport infrastructure, but the current lack of transport network and infrastructure for transportation within Lantau had jeopardised its development. He expressed concern that Hong Kong would not capture the economic benefits brought about by the integration of Pearl River Delta region and development of the cross-boundary transportation associated with the Hong Kong-Zhuhai-Macao Bridge if no infrastructure was made in this regard. He also pointed out that it was a fundamental error on the part of the Administration to put Lantau development as a transport project under the policy portfolio of transport and not under the portfolio of commerce and industries. In response to Ms Emily LAU, Mr KAM said that creation of DSoDs would support the further development of trade and industries and coordination of work amongst industries and sectors, including the development of transport infrastructure in Lantau Island.

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141. Ms Cyd HO enquired whether transferring the policy portfolios of housing and transport into different policy bureaux would impact on the development of the concerned sectors. Mr LAI Ming-hung said that the merger of two portfolios, namely works and transport into the same bureau (to be reported to FS) would result in better coordination amongst various building services and builders' works projects, and hence causing least disruption to road traffic.

II. Any other business

142. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 2
Legislative Council Secretariat
30 October 2012