

(Translation)

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香港特別行政區政府
政務司司長辦公室轄下行政署



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Hon TAM Yiu-chung
Chairman, Panel on Constitutional Affairs
Legislative Council Complex
1 Legislative Council Road
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24 January 2013

Dear Chairman,

We note that at a meeting of the Panel on Constitutional Affairs held earlier, a Member queried the Chief Secretary for Administration's (CS) previous indication to you that the functions of the Central Policy Unit (CPU) have remained basically unchanged being inconsistent with the paper^{Note 1} submitted by the CPU to the Panel on Public Service (Panel on PS). The Administration's replies are set out in the ensuing paragraphs.

First, the relevant extract of the above paper and that of the verbatim transcript of the Legislative Council House Committee meeting held on 23 November 2012 are reprinted below for ease of reference.

The paper submitted by the CPU to the Panel on PS stated the following:

"2. CPU was established in April 1989 to supplement the Government Secretariat's work by examining specific policy issues as directed by top Government officials. Its duties included undertaking in-depth examinations of complex and long-term policy issues, particularly those that straddled policy bureaux, analysing options and recommending solutions.

Note 1 LegCo Paper CB(4)133/12-13 dated 19 November 2012.

4. Throughout the years, the work dimension of the CPU has further expanded and is now responsible for conducting policy research, drafting the annual Policy Address, providing secretariat support to the Commission on Strategic Development, analysing major and important policy issues, with a view to providing the Chief Executive (CE), the Chief Secretary for Administration (CS) and the Financial Secretary (FS) with policy advice, analysing and assessing community concerns and public opinions, encouraging community discussion and participation in public policy formulation, and undertaking work for the Hong Kong Guangdong Strategic Development Research Group under the Hong Kong/Guangdong Co-operation Joint Conference.

13. Since the Fourth Term Government will strengthen policy research, the role and functions of CPU have to be expanded.”

At the Special House Committee meeting^{Note 2} held in November 2012, the CS said that “since its establishment in 1989, it has all along been the functions and role of the CPU to be the think tank that offers advice to the three highest-ranking officials in the Government. The advice offered covers a wide spectrum of issues with no specific restriction on the topics. Sometimes these studies were on relatively complicated policies, cross-bureaux matters or strategic issues. Overall speaking, the purpose of having a CPU is to offer more far-sighted and alternative advice when needed. As such, it is by design that the Head and full-time Members of the CPU are not civil servants but persons brought in by appointment from private organisations. However, whether in the past or at present, the CPU has not taken over any role and functions of our policy bureaux. Nor will it do so in future. The CPU should not screen policy proposals put forward by bureaux. It merely collaborates with bureaux by offering advice and conducting research. But obviously, over the past two decades or so, the areas on which it renders advice would need to change in order to keep pace with the times, and its scope of work would also depend on what topped the Government’s list of concerns at a particular moment.”

“I have just emphasised that, whether before or after the handover, the CPU’s functions and role of providing the leading officials of the Government (including the Fourth Term Government) with advice have generally remained the same since its establishment in 1989. However, as you may recall, I have mentioned that to keep up with the times in a changing society, the CPU’s research topics, work nature and responsibilities will vary slightly from time to time. For instance, since the incumbent CE considers Hong Kong’s economic

^{Note 2} The verbatim transcript of the Special House Committee Meeting on 23 November 2012 (CB(2)297/12-13)(in Chinese only).

development, as well as cultivation of talents, are of paramount importance, these have become the topics that concern CPU, which is tasked with advising us on cultivation of talents.”

“As regards the CPU’s role, I have repeatedly stressed here that during the current-term Government, we will not, and have no plans to, change its role and functions to offer advice to the leading officials of the Government (i.e. the CE, the CS and the FS). Nevertheless, the CPU will certainly advance to keep pace with changing times and adjust the topics on which it shall render advice and conduct research. For instance, at present the CPU will probably conduct more research on the economic development of the Mainland and Hong Kong. I believe that the CPU would not conduct research and provide advice on these topics 20 years ago. This is a case of progressing with time.”

As shown in the above paper and the extract from the transcript of the House Committee meeting, paragraph 4 of the CPU paper (covering the expanded scope of work of the CPU) highlights such changes throughout the years, and sets out the present scope of the CPU’s work that has moved forward with the times. The paragraph also pointed out that the work of the CPU includes conducting research on and analysing policy issues, with a view to providing the CE, the CS and the FS with policy advice. In the same paper, paragraph 13 pointed out that “since the Fourth Term Government will strengthen policy research, the role and functions of CPU have to be expanded.” Its main point is that, in order to enhance the work on policy research, the current-term Government needs to expand the scope of work of the CPU accordingly. It does not mean that there will be fundamental changes to the role of the CPU.

The CS repeatedly pointed out at the Special House Committee Meeting that though the research topics, work nature and responsibilities of the CPU have to keep up with the times in a changing society, its primary functions remain unchanged. In this connection, the advice of the CPU does not contradict with the CS’s indication at the Legislative Council.

We wish to reiterate that the role of the CPU as a think tank has never changed since its establishment. As stated in the Administration’s submission to the Finance Committee of the Legislative Council in 1989^{Note 3}, the CPU will not take over the roles and functions of policy bureaux. Nor will they screen policy proposals put forward by policy bureaux. The CPU collaborates with policy bureaux in collecting necessary information for research. The CPU is neither a policy bureau nor an executive department and its functions do not include implementing policies. Its policy recommendations are to be scrutinized by the Administration internally and will only be submitted to the

^{Note 3} Paragraph 3 of FCR(89-90)10.

Governor (now the Chief Executive) in Council for consideration and decision when appropriate.

As the CS already responded to Members' questions on the functions of the CPU at the Special House Committee Meeting on 23 November and through an oral question on 28 November 2012 respectively, the Administration considers that the relevant issues have been clarified.

The Panel on PS met on 19 November 2012 to discuss the proposed creation of one full-time Member in the CPU and extension of a supernumerary post of Assistant Secretary to the the Commission on Strategic Development. The CPU is reviewing Members' views put forward at the above meetings on the proposed creation of an additional full-time Member comprehensively. On the other hand, as the staffing proposal about the Assistant Secretary to the Commission on Strategic Development concerns the extension of an existing supernumerary post in staff establishment, the Administration plans to submit a paper on this post to the Establishment Subcommittee for consideration on 20 February.

The CS has recently received a letter from the Clerk to the Panel on Constitutional Affairs concerning the above subject. We believe that the above explanations have thoroughly addressed the concerns expressed by Members as presented in the letter.

Yours sincerely,

(Ms Kitty CHOI)
Director of Administration

cc. Clerk to Panel on Constitutional Affairs
Constitutional and Mainland Affairs Bureau (Attention: Miss Helen CHUNG)