

**Opening Statement by
Secretary for Constitutional and Mainland Affairs
at the Special Meeting of the Finance Committee
on 17 April 2018**

Chairman,

I wish to brief Members on the main points of the estimates of expenditure of the Constitutional and Mainland Affairs Bureau (“CMAB”) in 2018-19.

Estimates of Expenditure of CMAB

2. In 2018-19, CMAB is allocated \$676.1 million, which is \$20.6 million (about 3%) lower than the revised estimates for 2017-18. The financial provision is mainly used in the following areas -

(I) Electoral Arrangements

3. The Government will continue to work closely with the Electoral Affairs Commission (“EAC”) to ensure that each public election will be conducted in a fair, open and honest manner in strict accordance with the Basic Law and the relevant legislation.

Amendments to Electoral Laws

4. In preparation for the public elections to be held in the next election cycle starting from 2019, the Government is examining the relevant electoral laws with reference to the experience of the 2015-2017 election cycle, and plans to introduce an amendment Bill to the Legislative Council (“LegCo”) within 2018, which proposes to improve the objection mechanism in relation to voter registration (“VR”), raise the penalties for making false statements in VR, and make various technical amendments to electoral arrangements.

2019 District Council Ordinary Election

5. In accordance with the Electoral Affairs Commission Ordinance (Cap. 541), one of the functions of the EAC is to review the boundaries of District Council (“DC”) constituencies for the purpose of making recommendations on the delineation and names of constituencies

for a DC Ordinary Election. In preparation for the 2019 DC Ordinary Election, the EAC should submit its report and recommendations to the Chief Executive by 21 November 2018. The report shall then be considered by the Chief Executive in Council. CMAB shall follow up with the decision of the Chief Executive in Council in this respect, and amend the relevant legislative provisions accordingly.

2018 Voter Registration

6. The 2018 VR campaign has already commenced on 15 January. The statutory deadline for change of registration particulars and new registration is 2 April 2018 and 2 May 2018 respectively. Starting from 1 February this year, electors applying for change of registered address are required to submit address proof at the same time. This will facilitate the Registration and Electoral Office (“REO”)’s verification, thereby enhancing the accuracy of the registers of electors. We will use various channels to publicise related measure. REO has continued to implement checking measures and carry out statutory inquiry process. If any person is suspected of providing false information for voter registration, the REO will refer the case to the law enforcement agencies for follow up action and investigation in accordance with the established procedures.

(II) Promoting the Basic Law

7. In 2018-19, CMAB will set aside about \$17 million to promote public understanding of the “one country, two systems” principle, the Constitution and the Basic Law via various means, including organising or sponsoring different types of promotional activities.

(III) Rights of the Individual

8. In 2018-19, subventions to the Equal Opportunities Commission (“EOC”) and the Office of the Privacy Commissioner for Personal Data (“PCPD”) will remain the major parts of the estimated total provision in human rights under the Bureau. CMAB will continue to carry out the legislative, promotional and educational work in certain areas.

EOC and PCPD

9. The statutory function of the EOC is to be responsible for the

implementation of the four anti-discrimination ordinances¹. The total subvention for the EOC in 2018-19 is \$108.5 million. The statutory function of the PCPD confines to enforcing the Personal Data (Privacy) Ordinance. In 2018-19, we will allocate \$75.47 million to the PCPD.

Discrimination Law Review

10. Regarding discrimination law review, on 20 March 2017 we consulted the Legislative Council Panel on Constitutional Affairs (“CA Panel”) on the 9 prioritised recommendations proposed by the EOC in its Discrimination Law Review. The CA Panel generally agreed that the 9 prioritised recommendations such as the one on introducing express provisions prohibiting direct and indirect discrimination on the grounds of breastfeeding, and protection from direct discrimination by imputation that a person is of a particular racial group, etc., should be taken forward.

11. Among other things, the CA Panel also expressed views that the recommendation concerning the amendment to the Disability Discrimination Ordinance for introducing provisions on being accompanied by an assistance animal (i.e. a guide dog) as a category of protection from discrimination should be covered as well. We are following up with the Labour and Welfare Bureau, Department of Justice (“DoJ”), Food and Health Bureau and the two local guide dog associations² on the recommendation concerning persons accompanied by guide dogs with a view to implementing the recommendation as soon as possible.

12. In October 2017, we consulted the Labour Advisory Board (“LAB”) on five employment-related recommendations, such as introducing express provisions to prohibit direct and indirect discrimination on grounds of breastfeeding and expanding the scope of protection from sexual, disability and racial harassment to persons in a common workplace (such as consignment workers in a department store). The LAB in principle supports the Government to take forward the legislative amendments proposals.

13. With the support of the CA Panel and LAB, we are working closely with DoJ in preparing for the Discrimination Legislation

¹ The four anti-discrimination ordinances include Sex Discrimination Ordinance (Cap.480), Disability Discrimination Ordinance (Cap.487), Family Status Discrimination Ordinance (Cap.527) and Race Discrimination Ordinance (Cap.602)

² The Hong Kong Guide Dogs Association and the Hong Kong Seeing Eye Dog Services.

(Miscellaneous Amendments) Bill and will endeavour to introduce the recommendations of legislative amendments by way of a composite bill into the Legislative Council in 2018.

Promotion of Children's Rights

14. For promotion of children's rights, in 2018-19 we have earmarked about \$1.10 million (excluding manpower cost) for implementing programmes for enhancing children's rights promotion.

Anti-discrimination on grounds of sexual orientation and gender identity

15. Besides, we are actively taking forward the strategies and measures recommended by the Advisory Group on Eliminating Discrimination against Sexual Minorities. First of all, we have enhanced public education and publicity efforts. For example, we broadcasted a newly-produced television programme "Rainbow Crossroad" between August and September 2017 to enhance the general public's sensitivity in dealing with sexual minorities. We will continue to promote the message of "Eliminate discrimination, embrace inclusion" through different channels as well as encouraging more organisations to adopt the Code of Practice against Discrimination in Employment on Ground of Sexual Orientation.

16. As some sexual minorities expressed that they were unable to access information on counselling and support services, we sponsored a 24-hour hotline operated by the Tung Wah Groups of Hospitals for sexual minorities. The hotline has been launched since January this year to provide immediate support, counselling and referral services for sexual minorities and their families. We are also devising training resources for personnel in specific fields, including social workers, health care professionals, human resources professionals and teachers, with a view to enhancing their sensitivity towards sexual minorities.

17. We are drafting a charter on non-discrimination of sexual minorities for voluntary adoption by relevant organisations and individuals in the domains of provision of goods, facilities and services; disposal and management of premises; employment and education. We shall consult the stakeholders on the content of draft charters in phases. In parallel, we are conducting a further study on the experience of legislative and administrative measures of other jurisdictions to eliminate discrimination.

(IV) Mainland Affairs and Co-operation with Taiwan

18. In 2018-19, the financial provision for the Mainland and Taiwan Offices is \$315 million, representing a decrease of \$26.7 million (7.8%) when compared with the revised estimates for 2017-18, mainly due to the conclusion of activities in the Mainland to celebrate the 20th anniversary of the establishment of the HKSAR in 2017-18.

Development of the Guangdong-Hong Kong-Macao Bay Area

19. On Mainland affairs, the country will soon promulgate the Development Plan for the Guangdong-Hong Kong-Macao Bay Area (the Development Plan), providing a blueprint for the future development of the Bay Area. The HKSAR Government and the Guangdong Provincial Government have reached consensus on the focus of the development of the Bay Area, including developing the Bay Area into an “international technological innovation centre”, commercialising technological achievements by leveraging the complementary strengths of Hong Kong and Guangdong; enhancing, through policy innovation, the connectivity of Bay Area cities and fostering the convenient flow of people, goods, capital and information; facilitating the development of industries in which Hong Kong enjoys strengths in the Bay Area.

20. After the promulgation of the Development Plan, CMAB will set up the Guangdong-Hong Kong-Macao Bay Area Development Office as early as possible. The Office will be responsible for coordinating with the National Development and Reform Commission, relevant central ministries/departments, the Guangdong Provincial Government and the Macao SAR Government, as well as the relevant bureaux/departments of the HKSAR Government in the implementation of the Development Plan. The Office will also proactively liaise with business associations, professional bodies and relevant stakeholders to publicise and promote the development opportunities for Hong Kong enterprises and talents brought about by the development of the Bay Area, and gauge their views on the implementation of the Development Plan to ensure that the relevant measures can best meet the needs of the industries.

National 13th Five-Year Plan

21. Promulgated in 2016, the Outline of the National 13th Five-Year Plan³ (13-5 Plan) reaffirms the strong support of the Central

³ The full name is the “Outline of the 13th Five-Year Plan for the National Economic and Social Development of the People’s Republic of China”

Authorities in maintaining the long-term prosperity and stability of Hong Kong and provides more opportunities for the future development of Hong Kong. Our Bureau will continue to provide support to the Steering Committee on Taking Forward Bay Area Development and Mainland Co-operation, chaired by the Chief Secretary for Administration, to co-ordinate various policy bureaux and departments to actively implement the initiatives related to Hong Kong's development set out in the 13-5 Plan under the "one country, two systems" principle.

Regional Co-operation

Co-operation with the Guangdong Province

22. On regional co-operation, the Guangdong Province is our most important partner in Hong Kong's co-operation with various regions in the Mainland. Hong Kong-Guangdong co-operation has all along been taken forward on the bases of complementarity and mutual benefits. The future focus of Hong Kong-Guangdong co-operation will be jointly taking forward the development of the Guangdong-Hong Kong-Macao Bay Area, which will further deepen co-operation between the two places.

Co-operation with Shenzhen

23. As for Hong Kong-Shenzhen co-operation, the key co-operation areas include promoting the development of the Hong Kong/Shenzhen Innovation and Technology Park at the Lok Ma Chau Loop, innovation and technology, Qianhai development, financial co-operation, professional services and youth co-operation.

Nansha, Qianhai and Hengqin

24. Nansha, Qianhai and Hengqin, each with its different development positioning and advantages, have all along been the key co-operation initiatives under Guangdong-Hong Kong-Macao co-operation. These three places have introduced a number of policy measures benefitting Hong Kong people and enterprises. These three areas of the China (Guangdong) Pilot Free Trade Zone will be the key Hong Kong-Guangdong co-operation development platforms under the Bay Area Development. The HKSAR Government will continue to enhance exchanges and co-operation with the Guangdong Provincial Government, as well as the Guangzhou, Shenzhen and Zhuhai Municipal Governments, with a view to expediting the development of the three areas and expanding the scope of development for Hong Kong people and enterprises.

Co-operation with Macao

25. On Hong Kong-Macao co-operation, the last Hong Kong Macao Co-operation High Level Meeting was held in October last year. Hong Kong and Macao signed the Hong Kong-Macao CEPA before the meeting, and agreed at the meeting that the focus of future cooperation will be to take forward the Bay Area Development together with the Guangdong Province, covering areas including economic co-operation, cross-boundary infrastructure and cross-boundary helicopter services.

Co-operation with Pan-Pearl River Delta Region and regional co-operation

26. We will also make use of the existing cooperation platforms to strengthen the exchanges and cooperation with the Pan-Pearl River Delta Region, Shanghai Municipality, Beijing Municipality, and Fujian; and will establish a co-operation mechanism with Sichuan. We will endeavour to give full play to Hong Kong's unique advantages of "one country" and "two systems" as well as the extensive and strong international connections to promote the development of relevant regions/provinces/municipalities and open up business and development opportunities for Hong Kong people and enterprises.

Facilitation Measures for Hong Kong people in the Mainland

27. Since August last year, the Hong Kong and Macao Affairs Office of the State Council has announced two batches of policy measures introduced by the relevant central authorities to facilitate Hong Kong residents studying, working and living in the Mainland. The Mainland Offices of the HKSARG Government have, through various channels such as websites, WeChat public accounts, emails and gatherings of Hong Kong people, disseminated information in relation to the facilitation measures. In future, the HKSAR Government will continue to actively reflect views of the Hong Kong people to the relevant Mainland authorities, with a view to striving for more facilitation measures for Hong Kong people and their smooth implementation at the local level.

Development of Hong Kong – Taiwan Relations

28. On Hong Kong and Taiwan relations, Hong Kong and Taiwan will continue to promote exchanges and co-operation through the "Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion

Council” and the “Taiwan-Hong Kong Economic and Cultural Co-operation Council”. In addition, our “Hong Kong Economic, Trade and Cultural Office” in Taiwan will continue to forge closer ties with key economic, cultural, academic and media organisations, as well as Hong Kong people and businessmen in Taiwan, and to promote Hong Kong through various activities.

Constitutional and Mainland Affairs Bureau
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