

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Session No. : 8

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**Replies to initial written questions raised by Finance Committee Members
in examining the Estimates of Expenditure 2009-10**

**Director of Bureau : Secretary for Constitutional and Mainland Affairs
Session No. : 8**

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**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB001

Question Serial No.

0199

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Provision has been earmarked in the 2009-10 Estimates for filling the post of Political Assistant. In this connection, would the Administration inform this Committee of the present progress in relation to the appointment of the Political Assistant and when the Political Assistant appointee is expected to report for duty?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Regarding the filling of the outstanding positions of Under Secretaries and Political Assistants in the Government, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

Signature _____

Name in block letters _____ **JOSHUA LAW** _____

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs _____

Date _____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB 002

Question Serial No.

0200

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding the Chief Executive's decision made in early 2009 to defer the public consultation exercise on constitutional reform, would the Administration inform this Committee of the original estimated expenditure and staffing requirement for the consultation exercise, and in what ways will the staffing and provisions spared due to the deferral of the exercise be used?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Although the public consultation on the 2012 electoral arrangements has been slightly postponed from the first half of 2009 to the fourth quarter, we need to continue to make preparations for the public consultation exercise. Hence, there is no substantial change to the estimated expenditure or staffing requirement in 2009-10 for the public consultation exercise.

2. One directorate officer at D2 level, one Senior Administrative Officer and one Administrative Officer are responsible for handling tasks relating to the public consultation exercise. These posts are part of our current establishment and the officers will undertake the public consultation exercise in addition to other duties. Furthermore, four posts comprising one Senior Executive Officer, one Executive Officer II and two Assistant Clerical Officers will be created and will assist in handling the relevant tasks starting July 2009. We will also create one Personal Secretary II post in 2009-10 to provide assistance.

3. For budget planning purpose, we have set aside about \$5 million in 2009-10 for consulting the public on the two electoral methods for 2012.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB 003

Question Serial No.

0201

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With regard to the consultation exercise on constitutional reform in 2009-10, would the Administration inform this Committee whether consideration will be given to commissioning academic or research institutions to analyse the proposals and conduct opinion surveys? If so, what are the details and estimated expenditure involved? If not, what are the reasons?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Constitutional and Mainland Affairs Bureau has not finalised our plans relating to the public consultation exercise concerning the electoral methods for 2012. At present, we have not commissioned any academic or research institutions to analyse options or to conduct opinion polls.

Signature _____

Name in block letters _____ JOSHUA LAW _____

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs _____

Date _____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB004

Question Serial No.

0202

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding Programme (4) Rights of the Individual, would the Administration inform this Committee of:

- (a) the related research studies conducted in 2007-08 and 2008-09, and the expenditure involved for each study?
- (b) the research studies planned to be conducted in 2009-10 and 2010-11, and the funds reserved for each study?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

In respect of Programme (4),

- (a) no related research study was conducted in 2007-08 and 2008-09; and
- (b) there is no plan for research studies to be conducted in 2009-10 and 2010-11.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB005

Question Serial No.

0203

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding Programme (2) Constitutional and Mainland Affairs,
would the Administration inform this Committee of:

- (a) the related research studies conducted in 2007-08 and 2008-09,
and the expenditure involved for each study?
- (b) the research studies planned to be conducted in 2009-10 and
2010-11, and the funds reserved for each study?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

In respect of Programme (2),

- (a) no related research study was conducted in 2007-08 and 2008-09; and
- (b) there is no plan for research studies to be conducted in 2009-10 and
2010-11.

Signature

Name in block letters

JOSHUA LAW

Post Title

Permanent Secretary for
Constitutional and Mainland Affairs

Date

19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB006

Question Serial No.

0204

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Financial Secretary mentioned in his 2009-10 budget speech that an inter-departmental steering committee had been set up to study and co-ordinate overall strategy and action plans on closer economic and trade ties with Taiwan. Would the government clarify whether the work of the above committee will mix up with the responsibilities of the Secretary for Constitutional and Mainland Affairs on matters relating to Taiwan and whether it will result in overlapping of work?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government's overall strategy in handling Taiwan affairs is to complement the improvement in cross-Straits relations, by enhancing our exchanges and interaction with Taiwan. As part of this strategy, we have decided to establish the high level inter-departmental Steering Committee on Enhancing Hong Kong – Taiwan Economic Relations (“the Steering Committee”), chaired by the Financial Secretary. The Constitutional and Mainland Affairs Bureau (CMAB) serves as the Secretariat and continues to be the bureau which sets and coordinates the HKSAR Government overall strategy in advancing Hong Kong – Taiwan relations. The Steering Committee also comprises members from other relevant bureaux and departments which have handled matters related to Taiwan. Therefore, there is no overlapping in work between the Steering Committee and CMAB. In fact, the establishment of the Steering Committee allows the Government to formulate the overall strategy and action plan on promoting our relations with Taiwan in a more coordinated fashion and on a broader scale.

2. In the last few years, CMAB has enhanced proactively exchanges between Hong Kong and Taiwan. In 2008-09, we allocated some \$1.5 million for such purpose. During the year, we have received prominent political figures, including representatives of the Straits Exchange Foundation; members of the Taiwan legislature, including those from Pan-Blue and Pan-Green camps; and officials at the county and city levels of Taiwan, including delegations led by the

Mayors of Taichung city and Kaohsiung city respectively. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in Taiwan on the implementation of “One Country, Two Systems” concept in Hong Kong.

3. We have sponsored local non-governmental organisations for organising six Hong Kong-Taiwan forum and seminars on topics of mutual interest to both places. We have also sponsored the organisation of study tours for students in Hong Kong, the Mainland and Taiwan. Over 500 students participated in the study tours to exchange views, enhance mutual understanding and build up their friendship.

4. In 2009-10, we will allocate additional resources to further enhance exchanges and co-operation with Taiwan. Our major work will include –

- (a) organising the first Hong Kong-Taiwan Inter-City Forum with Taichung city to discuss issues related to economic and trade development, tourism etc;
- (b) sponsoring non-governmental organisations for organising forum, seminar and related activities which promote Hong Kong-Taiwan exchanges;
- (c) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (d) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (e) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (f) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors to understand the latest developments of Hong Kong and the implementation of “One Country, Two Systems”.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB007

Question Serial No.

0205

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Financial Secretary mentioned in his 2009-10 budget speech that "Co-operation and liaison between the two SARs are now being enhanced by meetings between Hong Kong and Macao jointly chaired by me and Macao's Secretary for Economy and Finance. The publication of the 'Outline of the Plan for the Reform and Development of the Pearl River Delta' has provided more opportunities for co-operation between the two places. We consider there is a need to strengthen our links with Macao in economic and other areas, especially in tourism and convention business, cross-boundary infrastructure and economic development in order to achieve synergy through complementing each other's strengths." Would the government clarify the distribution of work in relation to Macao affairs between the above meetings and the Secretary for Constitutional and Mainland Affairs?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Hong Kong and Macao enjoy a close relationship and both governments aim to strengthen the ties further. The two sides have established a liaison officers system under which representatives from the respective bureaux or departments would serve as liaison officers in various co-operation areas. The overall co-ordination work on Hong Kong side is taken up by the Constitutional and Mainland Affairs Bureau (CMAB). CMAB also serves as the secretariat of the Hong Kong side to the Hong Kong Macao Cooperation Meeting which is jointly

chaired by the Financial Secretary of Hong Kong and the Secretary for Economy and Finance of Macao.

Signature	
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB008

Question Serial No.

0206

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned under Matters Requiring Special Attention in 2009-10 that the Bureau will "conduct public consultation and enact necessary legislation to implement the court's judgement on judicial review cases relating to prisoners' right to vote". Would the Administration inform this Committee the expenditure and staffing involved in taking forward the relevant work?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

To implement the court's judgment on three judicial review cases relating to prisoners' right to register as electors and the right to vote, we are consulting the public on the policy options and the practical arrangements. Taking into account the outcome of the consultation exercise, we plan to introduce amendments to the Legislative Council Ordinance and other electoral ordinances within the 2008/09 legislative session.

2. It is estimated that the consultation exercise would cost around \$500,000. The CMAB will undertake the work relating to the consultation and the legislative amendment with existing staffing resources.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 17 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB009

Question Serial No.

0207

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is stated in Brief Description that the Bureau will “co-ordinate and enhance exchanges and co-operation with Taiwan”. Would the government inform the Committee of the specific work in this respect in 2008-09, the staffing and expenditure involved, the work plan for the coming year, and the estimated staffing and expenditure involved?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Constitutional and Mainland Affairs Bureau coordinates the government's liaison with Taiwan organisations in Hong Kong under the framework of the “One China” policy and “Qian's Seven Principles”. In 2008-2009, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported exchanges between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of “One Country, Two Systems” through, among other means, inviting Taiwan personalities from different sectors to visit Hong Kong, and briefing relevant incoming Taiwan visitors.

2. In the last few years, CMAB has enhanced proactively exchanges between Hong Kong and Taiwan. In 2008-09, we allocated some \$1.5 million for such purpose. During the year, we have received prominent political figures, including representatives of the Straits Exchange Foundation; members of the Taiwan legislature, including those from Pan-Blue and Pan-Green camps; and officials at the county and city levels of Taiwan, including delegations led by the Mayors of Taichung city and Kaohsiung city respectively. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among

different sectors in Taiwan on the implementation of “One Country, Two Systems” concept in Hong Kong.

3. We have sponsored local non-governmental organisations for organising six Hong Kong-Taiwan forum and seminars on topics of mutual interest to both places. We have also sponsored the organisation of study tours for students in Hong Kong, the Mainland and Taiwan. Over 500 students participated in the study tours to exchange views, enhance mutual understanding and build up their friendship.

4. In 2009-10, we will allocate additional resources to further enhance exchanges and co-operation with Taiwan. Our major work will include –

- (a) organising the first Hong Kong-Taiwan Inter-City Forum with Taichung city to discuss issues related to economic and trade development, tourism etc;
- (b) sponsoring non-governmental organisations for organising forum, seminar and related activities which promote Hong Kong-Taiwan exchanges;
- (c) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (d) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (e) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (f) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors to understand the latest developments of Hong Kong and the implementation of “One Country, Two Systems”.

5. Under the supervision of senior management of this Bureau, one Directorate officer at D2 rank and an Administrative Officer are responsible, among other things, for the above mentioned liaison and coordination work in the Bureau.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB010

Question Serial No.

0208

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is stated in Brief Description that "we have developed a good working relationship with the Hong Kong and Macao Affairs Office of the State Council". Would the government inform this Committee of the specific work in this respect in 2008-09, the manpower and expenditure involved, and whether a dedicated post or task force has been assigned in the Bureau to take up the liaison work?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

Over the years, we have developed a good working relationship with the Hong Kong and Macao Affairs Office of the State Council (HKMAO). Close contacts and communication are made on matters of mutual concern, such as official exchanges and visits between Hong Kong and the Mainland, new Mainland policies affecting Hong Kong investors in the Mainland, regional cooperation initiatives, as well as specific initiatives like HKSAR's efforts in support of reconstruction in the Sichuan earthquake stricken areas.

2. Maintaining and enhancing our working relationship with HKMAO and other Mainland authorities is an integral part of the roles and functions of the CMAB. Resource input could not be singled out and quantified.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB011

Question Serial No.

0209

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is stated in Brief Description that in further developing the Political Appointment System, 24 new political appointment positions have been created by the government with effect from 1 April 2008. However, only 17 appointees have reported for duty so far. Would the government inform this Committee the progress of appointment in 2008-09, the staffing and expenditure involved, and the reasons why the political appointment positions are still left unfilled?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government announced in May 2008 the appointment of the first batch of 8 Under Secretaries and 9 Political Assistants. The appointees started to report for duty from June 2008.

2. The Chief Executive chairs the Appointment Committee for Under Secretaries and Political Assistants. The administrative work relating to the appointment exercise does not involve any additional staffing and expenditure.

3. Regarding the filling of the outstanding positions of Under Secretaries and Political Assistants, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB012

Question Serial No.

0210

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned under Matters Requiring Special Attention in 2009-10 that the Bureau will "continue to promote the rights of children". Would the Administration inform this Committee of the specific work carried out in 2008-09, the staffing and expenditure involved, and whether it had co-operated with relevant non-government organisations?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Government is committed to promoting public awareness of and respect for the rights of children. In 2008-09, major programmes in promoting children's rights include –

- (a) the Children's Rights Education Funding Scheme, which encourages community participation in promotion of public education on children's rights through providing funding for non-government organisations (NGOs) to carry out relevant projects. Seventeen NGOs have been sponsored in 2008-09;
- (b) sponsoring the Children's Council project, which is co-organised by three NGOs. The project aims at fostering children's interest in public affairs;
- (c) the Children's Rights Forum, which provides a direct channel for Government to exchange views on matters concerning children's welfare and development with children representatives and relevant NGOs; and
- (d) publication of a comic booklet to promote public awareness of the United Nations Convention on the Rights of the Child.

2. As illustrated above, there is close co-operation between Government and relevant NGOs in promoting children's rights. The estimated expenditure for the relevant initiatives in 2008-09, excluding manpower resources, is about \$1.07 million. As regards manpower resources, promotion of the rights of children is an integral part of the Bureau's work. We do not have a separate breakdown of the manpower resources spent for the purpose.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB013

Question Serial No.

0211

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Provision for 2009-10 under this programme is 121.3% higher than the revised estimate for 2008-09. As explained by the Administration, this is mainly attributed to the World Exposition 2010 Shanghai China and the creation of 15 posts during the year. Would the Administration inform this Committee of the job description of, the distribution of and expenditure involved for the 15 posts to be created?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

There will be a net creation of 15 posts under Programme (2). The expenditure involved for creation of ten posts, excluding the five posts to be funded under the Trust Fund in Support of Reconstruction in the Sichuan Earthquake Stricken Areas, is estimated to be \$5.32 million.

2. Details of the 15 posts are set out below -

- (a) five time-limited posts, including one Administrative Officer Staff Grade C (AOSGC), one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the Hong Kong Special Administrative Region (HKSAR) Government in support of reconstruction in the earthquake stricken areas of Sichuan;
- (b) three time-limited posts, including one AOSGC, one Building Services Engineer and one Executive Officer I, for preparing HKSAR's participation in the World Exposition 2010 Shanghai China, as well as providing professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition;

- (c) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical Officers, for making preparations for and dealing with the public consultation on the electoral arrangements for 2012; and
- (d) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>19 March 2009</u>

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB014

Question Serial No.

0272

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please list the 15 posts to be created to handle matters relating to the World Exposition 2010 Shanghai China. What are the duties of these posts?

Asked by : Hon. HO Chung-tai, Raymond

Reply :

Of the 15 posts to be created under Programme (2), only three of them will be responsible for matters relating to the World Exposition 2010 Shanghai China (Shanghai Expo). These comprise three time-limited posts of one Administrative Officer Staff Grade C (AOSGC), one Building Services Engineer and one Executive Officer I. The AOSGC will be deployed for coordinating preparations for and overseeing the implementation of Hong Kong Special Administrative Region (HKSAR)'s participation in the Shanghai Expo. The Building Services Engineer will provide professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition. The Executive Officer I will provide administrative and executive support.

2. The remaining 12 posts will be responsible for various duties as set out below -

- (a) five time-limited posts, including one AOSGC, one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the HKSAR Government in support of reconstruction in the earthquake stricken areas of Sichuan;
- (b) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical Officers, for making preparations for and dealing with the public consultation on the electoral arrangements for 2012; and

- (c) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB015

Question Serial No.

0428

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Bureau expects to increase 14 non-Directorate posts and two Directorate posts in 2009-10. What are the reasons for creating such posts and what is the expenditure involved?

Asked by : Hon. LAM Kin-fung, Jeffrey

Reply :

Two supernumerary Administrative Officer Staff Grade C posts will be required for the following work -

- (a) to coordinate preparations for and oversee the implementation of Hong Kong Special Administrative Region (HKSAR)'s participation in the World Exposition 2010 Shanghai China; and
 - (b) to assist the "Steering Committee on the HKSAR's Support for Reconstruction in the Sichuan Earthquake Stricken Areas" in coordinating inter-departmental efforts, and handling coordination and communication with the relevant Sichuan authorities.
2. As for the other 14 non-directorate posts, they comprise the following -
- (a) two time-limited posts, including one Building Services Engineer and one Executive Officer I, for preparing HKSAR's participation in the World Exposition 2010 Shanghai China, as well as providing professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition;

- (b) four time-limited posts, including one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the HKSAR Government in support of reconstruction in the earthquake stricken areas of Sichuan;
 - (c) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical Officers, for making preparations for and dealing with the public consultation on the electoral arrangements for 2012;
 - (d) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau; and
 - (e) one permanent post of Senior Executive Officer to assist the Bureau's work in promoting racial equality and enhancing the provision of support services for ethnic minorities.
3. The expenditure involved for creation of 11 posts, excluding the five posts to be funded under the Trust Fund in Support of Reconstruction in the Sichuan Earthquake Stricken Areas, is estimated to be \$6.08 million.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB016

Question Serial No.

0429

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of the public consultation exercise on 2012 constitutional reform to be conducted in end 2009 as mentioned under Matters Requiring Special Attention in 2009-10, what are the staffing and resources planned for conducting the exercise? How many public consultation briefings and seminars are expected to be held?

Asked by : Hon. LAM Kin-fung, Jeffrey

Reply :

One directorate officer at D2 level, one Senior Administrative Officer and one Administrative Officer are responsible for handling tasks relating to the public consultation exercise. These posts are part of our current establishment and the officers will undertake the public consultation exercise in addition to other duties. Furthermore, four posts comprising one Senior Executive Officer, one Executive Officer II and two Assistant Clerical Officers will be created and will assist in handling the relevant tasks starting July 2009. We will also create one Personal Secretary II post in 2009-10 to provide assistance.

2. While details of the public consultation exercise are being worked out, we expect that a number of regional and public forums will be held to help gauge public views on the issue. For budget planning purpose, we have set aside about \$5 million in 2009-10 for consulting the public on the two electoral methods for 2012.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____

Permanent Secretary for

Constitutional and Mainland Affairs

Date _____

19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB017

Question Serial No.

0430

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

- Question : (a) In respect of the indicators on Commercial relations, the estimated numbers of public speeches and briefings given in 2009 are lower than the actual numbers in 2008. What are the reasons? Does it mean that there will be a decrease in promotion of commercial relations?
- (b) In respect of the indicators on Liaison and public relations, the estimated numbers of call on senior government officials and public relations functions participated in 2009 are much lower than the actual numbers in 2008. What are the reasons? Does it mean that there will be a decrease in liaison work and public relations efforts?

Asked by : Hon. LAM Kin-fung, Jeffrey

Reply :

Major one-off events that took place in 2008 led to an upsurge of liaison and public relations activities in the year. These events include:

- (a) The Beijing 2008 Olympic Games hosted by China was a major international event. Hong Kong also co-hosted the Olympic and Paralympic Equestrian Events in Hong Kong. Various Olympic Games related publicity and commercial promotion activities were conducted in 2008 on the Mainland. The Mainland Offices had taken the opportunity to participate in these activities and step up their promotional and liaison work with the Mainland authorities, organisations and target audience. The Beijing 2008 Olympic Games was a one-off event and the situation in 2009 is expected to be different.
- (b) The Sichuan Wenchuan earthquake which occurred in May 2008 brought about heavy casualties and massive damage, with Sichuan being the hardest hit province. Immediately after the incident, the Mainland Offices,

particularly the Chengdu Economic and Trade Office and Beijing Office, had spared no efforts in liaising with the Central Authorities, Sichuan Government, local organisations in Sichuan, HKSAR Government bureaux/departments and Hong Kong non-government organisations etc. to assist in planning and implementing HKSAR's post-quake relief and reconstruction support work. There had been a surge in relevant liaison work in 2008.

2. The Mainland Offices will continue to spare no efforts in seeking and exploring suitable opportunities to further promote Hong Kong's commercial and public relations on the Mainland.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB018

Question Serial No.

0782

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With regard to government officials in the Government Secretariat responsible for matters relating to rights of the individual, please provide information on the civil service establishment, their responsibilities and the expenditure on salary for the past three years (i.e. 2006-07 to 2008-09).

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) took over the policy responsibility relating to rights of the individual from the Home Affairs Bureau (HAB) with effect from 1 July 2007. The relevant civil service establishment and total salary under the HAB in 2006-07 and corresponding figures after the transfer of the responsibility to CMAB for the past two years are set out below -

	2006-07	2007-08	2008-09
Civil service posts	2 Administrative Officer Staff Grade C 1 Senior Administrative Officer 2 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer	2 Administrative Officer Staff Grade C 1 Senior Administrative Officer 2 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer	2 Administrative Officer Staff Grade C 2 Senior Administrative Officer 2 Administrative Officer 2 Senior Executive Officer 1 Executive Officer I 2 Personal Secretary I 1 Personal Secretary II 2 Assistant Clerical Officer
Total salary	\$7.68 million	\$8.19 million	\$9.72 million

In 2008-09, the additional Senior Administrative Officer post was created for conducting reviews relating to privacy-related matters.

2. The above staff are responsible for coordinating and overseeing the implementation of government policies on rights of the individual, including review of the Personal Data (Privacy) Ordinance (PDPO); housekeeping of the Office of the Privacy Commissioner for Personal Data and Equal Opportunities Commission; providing bureaux and departments with advice and guidance on compliance with the provisions of the PDPO and the Code on Access to Information; promotion of equal opportunities on grounds of gender, family status, race and sexual orientation; promotion of children's rights; promotion of public education and community participation to enhance public awareness and respect for rights of the individual; serving the Committee on the Promotion of Racial Harmony; overseeing compliance with the reporting requirements under five human rights treaties which apply to the Hong Kong Special Administrative Region, etc.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB019

Question Serial No.

0783

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that the revised estimate for 2008-09 is approximately 44% higher than the actual financial provision for 2007-08. What are the uses of the related provision? Please provide information on the expenditure items and the expenditure incurred, the staff employed and the expenditure on emoluments.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The revised estimate of Programme (4) for 2008-09 is about 44% higher than the actual financial provision for 2007-08 mainly due to -

- (a) the estimated provision of \$3 million as part of the setting up cost of four support service centres for ethnic minorities;
- (b) the increased provision of \$3.28 million, mainly for implementing initiatives on promotion of equal opportunities and human rights, such as language programmes for ethnic minorities; and
- (c) the increased provision of \$1.66 million for operating expenses, including the salary of \$1.04 million for a Senior Administrative Officer post created for conducting reviews relating to privacy-related matters.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB020

Question Serial No.

0784

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that the estimate for 2009-10 is 93% higher than the revised estimate for 2008-09. What are the reasons? Please provide information on the proposed uses of the additional provision, the expenditure to be incurred on various projects, the staff to be employed and the expenditure on emoluments.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The estimate of Programme (4) for 2009-10 is about 93% higher than the revised estimate for 2008-09 mainly due to -

- (a) the additional provision of \$18 million for part of the setting up cost and annual operation cost of four support service centres for ethnic minorities (which comprises \$5 million setting up cost and \$16 million operation cost for 2009-10, compared with \$3 million spent in 2008-09 as part of the setting up cost);
- (b) the increased provision of \$4.9 million for implementing initiatives on promotion of equal opportunities and human rights, in particular funds set aside to facilitate the enforcement of the Race Discrimination Ordinance (RDO) by the Equal Opportunities Commission (EOC) upon the full implementation of the RDO, to be reviewed together with the EOC over the next few months, as well as for promotional activities of the Code on Access to Information; and

- (c) the increased provision of about \$1.1 million for operating expenses, including the salary of \$0.76 million for a Senior Executive Officer post to be created to assist the Bureau's work in promoting racial equality and enhancing the provision of support services for ethnic minorities.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION

Reply Serial No.

CMAB021

Question Serial No.

0785

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of projects funded under the Equal Opportunities (Race) Funding Scheme in 2007 and 2008, please provide information on the organisations that have received funding, the service target and the funding received in the respective year.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2007-08, 24 applications were approved under the Equal Opportunities (Race) Funding Scheme. Of these, one withdrew after the approval was given.

2. In 2008-09, 27 applications were approved under the Equal Opportunities (Race) Funding Scheme. Of these, one withdrew after the approval was given.

3. Details of the projects which were successfully held in 2007-08 and 2008-09 are at Annex I and II respectively.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Equal Opportunities (Race) Funding Scheme
List of projects held in 2007-08

No	Sponsored Organisation	Service Target	Amount (\$)
1.	Association of Indonesian Migrant Workers in Hong Kong	Indonesian Migrant Workers	15,000
2.	Caritas - Hong Kong, Caritas Community Centre - Aberdeen	South Asians in Southern District	30,000
3.	Caritas Charles Vath College	South Asian students and families in Tung Chung	16,260
4.	Caritas Community Centre (Kowloon)	South Asians and Chinese	41,200
5.	Chinese YMCA. Chai Wan Centre	South Asian families	12,620
6.	Christian Action	Ethnic minorities and local people	21,725
7.	Delia Memorial School (Broadway)	Ethnic minority students, including students with disabilities	29,788
8.	Delia Memorial School (Hip Wo)	Students, teachers and staff	20,000
9.	Far East Overseas Nepalese Association (FEONA-HK)	Nepalese	15,000
10.	HK SKH Lady MacLehose Centre	South Asian and local children	27,000
11.	Hong Chi Winifred Mary Cheung Morninghope School	Students including ethnic minorities with mental disability	24,870
12.	Hong Kong - Macao Conference of Seventh-day Adventists, Shan King Integrated Children and Youth Services Centre	South Asian families and local youth	29,800
13.	Hong Kong Children & Youth Services Sing Woo Children & Youth Centre	South Asian and local students	9,500
14.	Hong Kong Unison Limited	Ethnic minority and local residents in Yau Tsim Mong district	46,520
15.	Hong Kong YWCA Tuen Mun Integrated Social Services Centre	South Asian children and families	10,170
16.	Methodist Centre - Sai Wan Ho Integrated Children and Youth Services	South Asians and local residents	7,780
17.	S.K.H St. Matthew's Primary School	Teachers, students (including non-Chinese speaking students), parents and members of the public in Central and Western District	26,600
18.	Salvation Army Tai Wo Hau Children & Youth Centre	Local and ethnic minority children at Tsuen Wan & Kwai Tsing	19,660
19.	Stage Professional	Primary school students	36,000
20.	The Boys' and Girls' Clubs Association of Hong Kong Jockey Club Cheung Hang Children & Youth Integrated Services Centre	South Asian and local children in Tsing Yi	24,080
21.	Union Nepalese Domestic Workers in Hong Kong (UNDW)	Nepalese	20,500
22.	YMCA of Hong Kong Christian College	Students and parents of the school and members of the public in Tung Chung	15,750
23.	Youth Online - Stewards Integrated Services Centre for Young People	Youth aged 15-24	13,029

Equal Opportunities (Race) Funding Scheme
List of projects held in 2008-09

No	Sponsored Organisation	Service Target	Amount (\$)
1.	Association of Indonesian Migrant Workers in Hong Kong	Indonesian Migrant Workers	15,000
2.	Caritas Jockey Club Integrated Service for Young People - Wong Tai Sin	South Asian youth and families	25,000
3.	Chinese YMCA Chai Wan Centre	South Asian youth and families	12,500
4.	Chinese YMCA of Hong Kong (Hin Keng Centre)	South Asian youth and families	16,000
5.	Christian Action - Domestic Helpers and Migrant Workers Programme	Ethnic minorities and local people	20,000
6.	Delia Memorial School (Hip Wo)	Students of ethnic minorities	25,000
7.	Far East Overseas Nepalese Association (FEONA-HK)	Nepalese	20,000
8.	HK SKH Lady MacLehose Centre	South Asian and local children	32,000
9.	Hong Chi Winifred Mary Cheung Morninghope School	Students (including ethnic minority students) with disabilities	20,000
10.	Hong Kong Christian Service (Kwun Tong Happy Teens Club)	South Asian and local students	35,000
11.	Hong Kong Integrated Nepalese Society	Nepalese	15,000
12.	Hong Kong Society for the Protection of Children, Children & Family Services Centre	South Asians	28,000
13.	Hong Kong Weaving Mills Association Chu Shek Lun Secondary School	Students, teachers and staff	14,990
14.	Hong Kong-Macao Conference of Seventh-day Adventists- Shan King Integrated Children and Youth Services Centre	South Asian families and local youth	30,000
15.	Jockey Club Shek Yam Children & Youth Integrated Services Centre	South Asian and local children in Shek Yam	13,970
16.	Matteo Ricci College Kowloon	Students and Asian families in Kowloon	9,320
17.	Methodist Centre - Sai Wan Ho Integrated Children and Youth Services	South Asians and local residents	21,000
18.	Mission To New Arrivals Limited	Ethnic minorities and local people	20,000
19.	Salvation Army Tuen Mun East Integrated Service for Young People	Local and ethnic minority children in Tuen Mun	43,000
20.	Salvation Army Yaumatei Integrated Service for Young People	Ethnic minority and local children in Yaumatei	17,000
21.	St James' Settlement Wan Chai Integrated Family Service Centre	South Asian youth and families	6,500
22.	The Boys' & Girls' Clubs Association of Hong Kong South Kwai Chung Children & Youth Integrated Services Centre	Ethnic minority and local children in Kwai Chung	13,000
23.	Tung Wah Group of Hospitals Jockey Club Shatin Integrated Services Centre	South Asian	6,000
24.	Union Nepalese Domestic Workers in Hong Kong (UNDW)	Nepalese	10,000
25.	United Filipinos in Hong Kong (UNIFIL-HK)	Filipinos domestic helpers	21,800
26.	YMCA of Hong Kong Christian College	South Asian and local children	27,000

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB022

Question Serial No.

0786

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide information on the staffing establishment for handling enquiries and complaints on race relations, and the expenditure on emoluments in 2007 and 2008. Please also provide information on the progress of the enquiry and complaint cases respectively.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The manning of the enquiry and complaints hotline is part of duties of the Race Relations Unit (RRU) which is responsible for organising activities and support services to promote racial harmony. We do not maintain a separate breakdown of the cost and manpower involved in handling the enquiries and complaints.

2. Of the 402 cases handled by RRU in 2007, 387 were enquiries on the activities organised by the Unit and for information on public services. The remaining 15 were complaints alleging racial discrimination. All 402 cases have been addressed and closed.

3. Of the 322 cases handled by the RRU in 2008, 310 were enquiries on the activities organised by the Unit and for information on public services. The remaining 12 were complaints alleging racial discrimination. Except for four complaint cases which are being processed, all the other 318 cases have been addressed and closed.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____

Permanent Secretary for
Constitutional and Mainland Affairs

Date _____

19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB023

Question Serial No.

0787

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

(5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that the Equal Opportunities (Race) Funding Scheme and enquiries/complaints on race relations will be transferred to the Equal Opportunities Commission (EOC) upon full implementation of the Race Discrimination Ordinance, which is expected to take place in mid-2009. Will existing staffing and resources for the subject activities in the Constitutional and Mainland Affairs Bureau be reduced accordingly? If so, please provide information on the staffing and expenditure to be reduced. Has additional resources been earmarked in the 2009-10 Estimates for the EOC to take up such activities? If yes, please provide information on the planned increase in staffing and provision.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

At present, the Race Relations Unit (RRU) under the Constitutional and Mainland Affairs Bureau (CMAB) is responsible for operating the enquiry and complaints hotline on race relations, as well as the Equal Opportunities (Race) Funding Scheme to promote race equality. After the full implementation of the Race Discrimination Ordinance (RDO), these duties will be taken over by the Equal Opportunities Commission (EOC). The annual allocation for the RRU (including staff cost) will be reduced by \$1.05 million in 2009-10 and the employment of a non-civil service contract Programme Officer will cease. The RRU will focus its work on supporting the Committee on the Promotion of Racial Harmony, providing support services for ethnic minorities (including overseeing the operation of the four support service centres for ethnic minorities) and coordinating the implementation of administrative guidelines for the promotion of racial equality.

2. An amount of \$1.05 million has been included in the 2009-10 Estimates for EOC to launch educational and publicity projects on racial equality on a recurrent basis. According to our plans, the RDO will commence full operation around mid-2009, following the adoption of the Code of Practice on Employment and enactment of the relevant subsidiary legislation. Our intention is to review together with the EOC their requirement for additional resources to implement the RDO from that point onward. We have set aside an amount of around \$4 million to facilitate the enforcement of the RDO. However, the funding allocation to EOC is subject to the review over the next few months.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB024

Question Serial No.

0788

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Being the authority responsible for promoting equal opportunities on grounds of race etc., has the Constitutional and Mainland Affairs Bureau earmarked resources and manpower for co-ordinating the efforts of and providing support to various government departments upon the full implementation of the Race Discrimination Ordinance expected to take place in mid-2009, to ensure that the departments, in their operation and delivery of services, will cater for the needs of ethnic minorities? If yes, please provide information on the work items, and the manpower and resources involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Upon the full implementation of the Race Discrimination Ordinance (RDO) expected to take place in mid-2009, the Equal Opportunities Commission will enforce compliance with the RDO, promote awareness and understanding of equal opportunities between people of different racial groups and conduct education activities to prevent racial discrimination. The Constitutional and Mainland Affairs Bureau (CMAB) will focus its work on supporting the Committee on the Promotion of Racial Harmony and providing support services for ethnic minorities (including overseeing the operation of the four support service centres for ethnic minorities). In addition, the CMAB is preparing administrative guidelines for relevant Bureaux and Departments to promote racial equality in formulating policies and measures in key areas. Since the work is an integral part of the responsibilities of the CMAB, there is no separate breakdown on the manpower and resources involved.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB025

Question Serial No.

0890

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of works that the Bureau will pay special attention during 2009-10, initiatives aim at promoting education on human rights, political rights and civic awareness are not mentioned. How much resources will be spent on public education on these aspects in 2009-10? What are the action plan and estimated expenditure for educational programmes covering the above aspects? What is the mechanism for evaluating the effectiveness of such programmes?

Asked by : Hon. CHAN Tanya

Reply :

The Government has been taking measures to promote the rights of individuals through various means and channels, including education at schools, community activities, collaboration with non-government organisations and publicity activities. In 2009-10, relevant bureaux and departments as well as the Equal Opportunities Commission will continue to devote resources on public education and publicity activities respectively.

2. In 2009-10, the expenditure to be incurred by the Constitutional and Mainland Affairs Bureau on promoting the rights of individuals is estimated to be \$11.32 million. This includes promotion and public education on children's rights, racial equality and harmony, and equal opportunities for people of different sexual orientation and transgendered persons as well as sponsorship to non-government organisations for relevant activities.

3. The Bureau will continue to monitor closely the feedback on the effectiveness of the relevant projects through various means, such as evaluation reports from non-government organisations/sponsored organisations, views from stakeholders including those gathered from relevant forums and questionnaires from the users, etc.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB026

Question Serial No.

0919

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Administration will continue to promote equal opportunities for people of different sexual orientation through various publicity and education measures in 2009-2010. What is the estimated expenditure for such publicity and education measures? What publicity and education programmes will be launched?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009-10, we will continue to promote equal opportunities for people of different sexual orientation and transgendered persons through the Gender Identity and Sexual Orientation Unit (the Unit) to foster a culture of mutual understanding and tolerance within the community by:

- (i) sponsoring worthwhile community projects through the Equal Opportunities (Sexual Orientation) Funding Scheme;
- (ii) maintaining a hotline for enquiries and complaints on issues relating to sexual orientation and gender identity; and
- (iii) organising other publicity and education programmes such as poster campaigns, broadcasting radio announcement in the public interest, and publication of promotional leaflets.

2. The estimated expenditure for these education and publicity activities (including the staff cost of the Unit) is about \$1.6 million.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB027

Question Serial No.

1338

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question : In what ways will the Mainland Offices strengthen economic and trade liaison with and enhance the investment promotion function in the Mainland? What are the expenditure involved and the staffing requirement?

Asked by : Hon. IP Kwok-him

Reply :

The Mainland Offices adopt a multi-pronged approach in representing and promoting Hong Kong's trade and commercial interests in the Mainland by organising trade missions, seminars and exhibitions for Hong Kong investors, as well as collecting and disseminating information on business information in the Mainland (including those relating to new laws and policies) to facilitate Hong Kong investors to understand the local business environment and establish their network in the Mainland. They also proactively approach Hong Kong investors and follow up issues of common concerns through appropriate channels. For example, in 2008, the Mainland Offices organised trade missions to Zhejiang, Yunnan and to the northern provinces of Heilongjiang, Jilin and Liaoning etc. to enhance mutual understanding on latest developments as well as on business opportunities. Seminars and forums were also organised on areas of interest to Hong Kong investors, including CEPA, processing trade and related policies, Mainland taxation, impact of financial tsunami to Hong Kong enterprises in the Mainland etc. Taking the opportunity of the Beijing 2008 Olympic Games, particularly our role as host to the Olympic and Paralympic Equestrian Events, exhibitions were held in 23 major trade fairs/expos/events in various Mainland cities.

2. Another major role of the Mainland Offices is to promote inward investment into Hong Kong. The Investment Promotion Divisions of the Mainland Offices, working alongside with Invest Hong Kong, identify potential Mainland companies in the areas that they cover; proactively approach and visit the companies identified to encourage them to invest in Hong Kong; provide free one-stop information and consultation services; and organise incoming visits and

help identify and match Mainland potential investors with business partners in Hong Kong. In 2008, the Mainland Offices have facilitated visits by government officials to promote investment in Mainland cities and organised study missions for Mainland officials and enterprises to visit Hong Kong, as well as organised seminars to promote the advantages of investing in Hong Kong.

3. The Mainland Offices will continue to spare no efforts in further promoting Hong Kong's economic and trade interests in the Mainland and promoting investment in Hong Kong through the existing approach. Since the Mainland Offices cover a range of functions including liaison, public relations, economic and trade as well as investment promotion matters by adopting an integrated approach, it is not possible to quantify precisely the amount of resources and manpower to be allocated to each function. The provision earmarked for liaison, economic and trade, and investment promotion affairs under programme (3) for 2009-10 is about \$100 million. The establishment of the Mainland Offices (excluding the Immigration Divisions of the Beijing Office and Guangdong ETO) for taking forward these functions comprises 30 Hong Kong based officers who are supported by 65 locally-engaged staff.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB028

Question Serial No.

0970

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Does the Administration have any specific plan on the promotion of the Basic Law and conduct of publicity activities in 2009-2010? What is the estimated expenditure for the publicity activities?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2009-10, the Constitutional and Mainland Affairs Bureau has set aside \$16 million for promotional activities related to the Basic Law. We will continue to adopt the following three promotional strategies:

- firstly, we will use the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the "One Country, Two Systems". TV drama, game show and radio quiz show will be produced;
- secondly, we will enhance public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals; and
- thirdly, we will strengthen the co-operation with community organisations in organising promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB029

Question Serial No.

0971

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What is the estimated expenditure earmarked for handling matters relating to the World Exposition 2010 Shanghai China in 2009-10? What are the specific expenditure items?

Asked by : Hon. TAM Yiu-chung

Reply :

HKSAR's participation in the 2010 Shanghai Expo involves a wide range of large scale activities, including the construction and operation of a stand-alone Hong Kong Pavilion, mounting and running of a dedicated exhibition in the Urban Best Practices Area Exhibition, organisation and presentation of a series of cultural performances and promotion activities including exhibitions, forums and parades, as well as the development of an Online Hong Kong Pavilion.

2. In 2009-10, the estimated expenditure under Head 144 for preparing for the participation in the Shanghai Expo is \$86.22 million. This comprises \$4.61 million for staff emoluments and \$81.61 million for expenditure to be incurred in the planning and preparations for the exhibitions, promotion, publicity and other activities associated with HKSAR's participation in the Shanghai Expo.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB030

Question Serial No.

0972

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : A net 15 posts will be created under this programme in 2009-2010 for handling matters relating to the World Exposition 2010 Shanghai China. What are the duties of these posts?

Asked by : Hon. TAM Yiu-chung

Reply :

Of the 15 posts to be created under Programme (2), only three of them will be responsible for matters relating to the World Exposition 2010 Shanghai China (Shanghai Expo). These comprise three time-limited posts of one Administrative Officer Staff Grade C (AOSGC), one Building Services Engineer and one Executive Officer I. The AOSGC will be deployed for coordinating preparations for and overseeing the implementation of Hong Kong Special Administrative Region (HKSAR)'s participation in the Shanghai Expo. The Building Services Engineer will provide professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition. The Executive Officer I will provide administrative and executive support.

2. The remaining 12 posts will be responsible for various duties as set out below -

- (a) five time-limited posts, including one AOSGC, one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the HKSAR Government in support of reconstruction in the earthquake stricken areas of Sichuan;
- (b) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical Officers, for making preparations for and dealing with the public consultation on the electoral arrangements for 2012; and

- (c) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB031

Question Serial No.

0973

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Does the Administration have any specific plan on the co-ordination and promotion of exchanges and co-operation with Taiwan in 2009-2010? What is the estimated expenditure involved?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2008-09, the Constitutional and Mainland Affairs Bureau allocated about \$1.5 million for conducting activities related to further enhancement of exchanges and co-operation with Taiwan. In 2009-10, we will allocate additional resources for such purpose. Our major work will include –

- (a) organising the first Hong Kong-Taiwan Inter-City Forum with Taichung city to discuss issues related to economic and trade development, tourism etc;
- (b) sponsoring forum, seminar and related activities organised by non-governmental organisations to promote Hong Kong-Taiwan exchanges;
- (c) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (d) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (e) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (f) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors to understand the latest developments of Hong Kong and the implementation of “One Country, Two Systems”.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB032

Question Serial No.

0991

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

As regards the self-initiated investigations to be conducted by the Office of the Privacy Commissioner for Personal Data, please provide information on:

- (a) the reasons for setting the estimated number of self-initiated investigations at 8 for the year 2009;
- (b) changes in respect of the number of staff responsible for conducting self-initiated investigations in 2009 and the expenditure involved, as compared with the figures in 2008, and the changes in the rank of the staff to be deployed for the self-initiated investigations; and
- (c) the time, manpower resources and expenditure incurred in each of the self-initiated investigation case in 2008.

Asked by : Hon. TAM Wai-ho, Samson

Reply :

- (a) In setting the number of self-initiated investigations at eight for 2009, the Office of the Privacy Commissioner for Personal Data (PCPD) has taken into account the actual experience of conducting such investigations in 2008 as well as the resources required.
- (b) The eight self-initiated investigation cases in 2008 were handled by the following staff (excluding input from supporting staff and senior supervisory officers) as part of their duties :

- 1 Chief Privacy Compliance Officer
- 1 Senior Personal Data Officer
- 1 Personal Data Officer
- 1 Assistant Personal Data Officer

Since the work involved is part of the staff's duties, there is no separate breakdown on the actual expenditure incurred. It is envisaged that similar manpower input would be required to undertake the projected eight

self-initiated investigations in 2009. In addition, with the creation of a Chief Information Technology Officer post in 2009-10, the officer is also expected to devote some of his time to render support to the investigation process on the information technology front.

- (c) Each staff member may spend a different amount of time (ranging from a few days to a few weeks) in handling different investigations. This varies considerably, depending on the complexity of the case and the involvement needed from each officer. There is no separate breakdown to show the resources or expenditure actually incurred in each of the cases in 2008.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB033

Question Serial No.

1355

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : When will the “Hong Kong-Taiwan Business Cooperation Committee” be set up? Which organisations will be represented? What is the role of the government in the preparatory work? Will the government provide any assistance, including resources, to the Committee for promoting direct exchange for industrial and business cooperation, and enhancing Hong Kong-Taiwan cooperation in the areas of business, trade, investment, tourism and others?

What will be the expected benefits to Hong Kong after the setting up of the Committee?

Asked by : Hon. WONG Ting-kwong

Reply :

The Government is actively promoting closer economic and trade ties with Taiwan. We are encouraging the local business sector to set up a Hong Kong – Taiwan Business Co-operation Committee (“the Committee”) to provide opportunities for direct exchanges between enterprises from both places and to foster closer co-operation in areas such as trade, investment and tourism. The Committee will comprise members who have knowledge of economic and trade matters between Hong Kong and Taiwan. The Hong Kong Trade and Development Council will provide secretariat and other support to the Committee. An announcement will be made when all the preparatory work is completed.

2. The setting up of the “Hong Kong-Taiwan Business Cooperation Committee” is one of the measures to strengthen our exchanges and co-operation with Taiwan. It would help maintain Hong Kong’s strategic position and should enable us to reap greater economic benefits from the “Three Direct Links” across the Taiwan Strait.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB034

Question Serial No.

1371

Head : 144 GS: Constitutional and Subhead (No. & title) :
Mainland Affairs Bureau

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : One of the major functions of the Mainland Offices is to enhance economic and trade relations between Hong Kong and the places concerned by co-operating closely with the Central People's Government ministries, local governments and relevant organisations. Will these Mainland Offices participate in the planning work to map out the economic development direction of Hong Kong after the publication of The Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020)? If yes, how?

Asked by : Hon. WONG Ting-kwong

Reply :

The "Outline of the Plan for the Reform and Development of the Pearl River Delta" (the Outline) was promulgated by the National Development and Reform Commission on 8 January 2009. It reaffirms the major achievements made by the Pearl River Delta Region (PRD Region) in the 30 years of the nation's reform, opening up and development. It also provides guidance on the long-term development between the PRD Region and Hong Kong/Macao. The Administration welcomes the launch of the Outline and attaches great importance to it.

2. One of the aims of the Mainland Offices in the economic and trade area is to represent and promote Hong Kong's trade and commercial interests in the Mainland. The Mainland Offices adopt a multi-pronged approach in taking this forward. They do so by organising trade missions, seminars and exhibitions for Hong Kong investors, as well as collecting and disseminating information on business information in the Mainland (including those relating to new laws and policies) to facilitate Hong Kong investors to understand the local business environment and establish their network in the Mainland. They also proactively approach Hong Kong investors and follow up issues of common concerns through appropriate channels. Seminars and forums were also organised on areas of

interest to Hong Kong investors, including CEPA, processing trade and related policies, Mainland taxation, impact of financial tsunami to Hong Kong enterprises in the Mainland etc.

3. Implementation of the various initiatives under the Outline straddles across the policy areas of many policy bureaux. The Constitutional and Mainland Affairs Bureau will continue to co-ordinate efforts in this regard to ensure the smooth implementation of the Outline. In this regard, the Mainland Offices will closely monitor developments. Where promoting Hong Kong's trade and commercial interests in the Mainland is concerned, the Mainland Offices, the Guangdong Economic and Trade Office in particular, will step up its liaison with the Mainland authorities and related organisations, so as to strengthen communication and enhance understanding of the opportunities brought about by the implementation of the Outline.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB035

Question Serial No.

1372

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Hong Kong Economic and Trade Offices (Mainland) (ETOs Mainland) are growing in importance with closer ties between Hong Kong and the Mainland in terms of economy and trade, daily exchanges and transport. Are there any plans to put in more resources to strengthen the manpower and expand the scope of services of these Offices or even to consider cooperation with some Hong Kong civic organisations which have Mainland offices to provide better services to Hong Kong people?

Asked by : Hon. WONG Ting-kwong

Reply :

Among its major functions, the Mainland Offices represent and promote Hong Kong's trade and commercial interests in the Mainland; and promote and encourage Mainland enterprises to invest in Hong Kong. They also render assistance to Hong Kong residents who have encountered difficulties in the Mainland, including referral of cases relating to business and trade disputes to relevant Mainland authorities for follow-up actions; and providing practicable assistance to Hong Kong residents in distress.

2. The Constitutional and Mainland Affairs Bureau, in conjunction with the Mainland Offices, regularly review the services provided by the latter and the manpower required based on the actual circumstances and operational needs. Where appropriate, the Mainland Offices will cooperate with organisations providing services in the Mainland for individual projects/events. For example, with a view to enhancing communication between Hong Kong investors in the Mainland with the local authorities, the Beijing Office and Shanghai ETO have co-organised seminars with the Hong Kong Chamber of Commerce in China, providing Hong Kong businesses the opportunity to express their concerns and have direct dialogue with relevant local authorities. The Shanghai ETO has also co-organised with the Hong Kong Logistics Association and the Hong Kong Institute of Bankers in arranging trade and study missions to Zhejiang and Shanghai respectively to promote understanding of the latest developments and

business opportunities concerning both sectors. Separately, in conjunction with the Hong Kong Chamber of Commerce in China, the Chinese General Chamber of Commerce, the Chinese Manufacturers' Association of Hong Kong and other organizations, the Guangdong ETO has organized a series of seminars on Mainland processing trade policy, tax laws and other subjects of interest to Hong Kong investors in the Mainland. Also, the Hong Kong Productivity Council (HKPC) has embarked on a programme to assist and encourage Hong Kong-owned factories in Guangdong to adopt cleaner production technologies and processes to improve the regional environment. The Guangdong ETO has assisted HKPC in liaison with relevant local authorities and promoting relevant seminars and organising study missions.

3. On manpower, the Guangdong ETO created one locally-engaged staff post in 2008-09 to handle additional work arising from the substantial increase of visits and other promotional events in the five provinces/region under its purview. In connection with the increased liaison work required of the Chengdu ETO to take forward HKSAR's initiatives in support of reconstruction in Sichuan, four time-limited locally-engaged staff posts have recently been created to provide the necessary support in Sichuan.

4. In 2009-10, the estimate for the Mainland Offices under Programme (3) is \$121 million, representing an increase of 4.6% compared with the revised estimate of 2008-09. We will continue to review the situation and if necessary, revise the related resource requirement in accordance with established procedures.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB036

Question Serial No.

1516

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

What was the expenditure on taking forward cooperation initiatives agreed at the Hong Kong/Guangdong Co-operation Joint Conference, including overseeing the work of its 23 Expert Groups and providing support to its Greater PRD Business Council, in 2008-2009? What is the estimated expenditure for such work in 2009-2010?

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for overall co-ordination of the efforts of the Government of Hong Kong Special Administrative Region (HKSAR) and the liaison with our Guangdong counterpart in taking forward cooperation initiatives agreed at the Hong Kong/Guangdong Co-operation Joint Conference (HKGDCJC), including overseeing the work of its 23 Expert Groups and providing support to Greater PRD Business Council, while individual co-operation initiatives are taken forward by relevant subject bureaux of HKSAR Government.

2. In 2008-09, the estimated expenditure for CMAB in relation to the work of HKGDCJC is about \$0.9 million. In 2009-10, CMAB has earmarked around \$1.4 million as departmental expenses for such work. The increase is mainly due to the fact that Hong Kong will host the 12th Plenary of the HKGDCJC in 2009 and the increase in meetings and activities associated with the implementation of the "Outline of the Plan for the Reform and Development of the Pearl River Delta".

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB037

Question Serial No.

1536

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Since 2003, the Government has set up various rights forum, including human rights forum, children's rights forum, ethnic minorities forum and sexual orientations forum. To get a better insight on the operation and the use of resources of these forums, please advise on the followings:

- a. How many meetings were held in respect of each type of forums in 2007-2008 and 2008-2009? What was the expenditure involved?
- b. Has the Government assessed the effectiveness of the forums conducted in 2007-2008 and 2008-2009? Please give details.
- c. How much resources are earmarked for each type of forums in 2009-2010?

Asked by : Hon. HO Sau-lan, Cyd

Reply :

- (a) The numbers of meetings of the Human Rights Forum (HRF), the Children's Rights Forum (CRF), the Ethnic Minorities Forum (EMF) and the Sexual Minorities Forum (SMF) in 2007-08 and 2008-09 are set out below:

	<u>HRF</u>	<u>CRF</u>	<u>EMF</u>	<u>SMF</u>
2007-08	2	3	1	1
2008-09	2	2	2	1

The expenditure involved in these Forums was absorbed in the operational expenses of the Constitutional and Mainland Affairs Bureau.

- (b) Since their establishment, the forums have served as one of the channels for the exchange of views between non-government organisations, other stakeholders and the Administration on the relevant subjects. The Administration will continue to make appropriate use of these forums as well as other channels to maintain an effective dialogue with the organisations and parties concerned.
- (c) Resources required for running the Forums will be absorbed in the operational expenses of the Bureau in 2009-10. There is no separate breakdown on the resources devoted for each of the Forums.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB038

Question Serial No.

1561

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In the 2008-09 Budget, \$16 million has been earmarked for the setting up of 4 support service centres in different districts and \$8 million has been allocated to subsidise their start-up costs. What is the progress of the setting up of these 4 centres? Please list out the dates of receiving applications and approving the subsidies, number of organisations applying for subsidy, names of the organisations receiving the subsidies, and the districts these centres will be set up. Please give details of the start up costs, operation expenses and the staffing of these centres.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

On 1 December 2008, we issued an open invitation for non-governmental organisations (NGOs) to apply for funding to establish and operate four regional support service centres for ethnic minorities in Hong Kong. By close of the application on 12 January 2009, a total of 22 applications from 16 NGOs were received.

2. We are now in the process of selecting the most suitable applicants to run the centres, and will announce the outcome soon. The centres are expected to commence their services in mid-2009.

3. Of the \$8 million one-off provision earmarked for the setting up of the centres, up to \$3.5 million is reserved for the centre providing telephone interpretation service and other support services, and up to \$1.5 million is reserved for each of the other three centres. The one-off provision would cover items such as the fitting out of the premises, purchase of office equipment, installation of facilities required for the provision of services and manpower for pre-service training and preparation.

4. Of the \$16 million recurrent provision for the operation of the four centres, up to \$7 million is earmarked for the operating expense of the centre providing telephone interpretation service, and up to \$3 million is earmarked for each of the other three centres.

5. The actual setting up and operation expenses and staffing arrangements will be dependent on the proposals of the organisations chosen to operate the centres.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB039

Question Serial No.

1562

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What is the provision reserved to “continue to promote the rights of children” in 2009-10? Please set out the planned work.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2009-10, the Government will continue to promote public awareness and respect for the rights of children. The estimated expenditure for the financial year is about \$1.1 million. The following are the major programmes in promoting children's rights in the coming year –

- (a) Children's Rights Education Funding Scheme;
- (b) Children's Council project;
- (c) Children's Rights Forum; and
- (d) Publicity on children's rights and the United Nations Convention on the Rights of the Child.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____

Permanent Secretary for
Constitutional and Mainland Affairs

Date _____

19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB040

Question Serial No.

1563

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In the past 5 years, i.e. from 2004-05 to 2008-09, what were the provisions allocated by the relevant policy bureaux to “promote public education and encourage community participation to enhance public awareness and respect for the rights of the individual” in each year? What was the amount spent in the area of racial equality in each year?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government has been taking measures to promote the rights of individuals through various means and channels, including education at schools, community activities, collaboration with non-government organisations (NGOs) and publicity activities.

2. The expenditure incurred on promoting the rights of the individual in 2004-05, 2005-06, 2006-07, 2007-08 and 2008-09 (estimated) is \$6.68 million, \$9.73 million, \$12.39 million, \$8.50 million and \$12.37 million respectively. This includes promotion and public education on children's rights, racial equality and harmony and equal opportunities for people of different sexual orientation and transgendered persons as well as sponsorship to NGOs for relevant activities.

3. The expenditure incurred on promoting racial equality in 2004-05, 2005-06, 2006-07, 2007-08 and 2008-09 (estimated) is \$5.76 million, \$8.16 million, \$10.34 million, \$6.39 million and \$9.31 million respectively.

4. There was a fluctuation in the 2006-07 and 2007-08 expenditure figures on promoting the rights of the individual and the breakdown on promoting racial equality. This is due to the timing of a number of grants to NGOs to provide support services to the ethnic minorities, the terms of which began in 2006-07 and straddled across financial years, thus resulting in fluctuation in the figures.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB041

Question Serial No.

1564

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: The Race Discrimination Ordinance is expected to be fully implemented in mid-2009 but the estimated expenditure for 2009-2010 for the Equal Opportunities Commission is 0.5% lesser than the revised expenditure for 2008-2009. What are the reasons? Has any provision been set aside for the implementation of the Race Discrimination Ordinance? If yes, please give details on the resources allocated, staffing establishment and expenditure items.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

We are fully committed to the implementation of the Race Discrimination Ordinance (RDO). An amount of \$1.05 million has been included in the 2009-10 estimate for the Equal Opportunities Commission (EOC) to launch educational and publicity projects on racial equality on a recurrent basis. According to our plans, the RDO will commence full operation around mid-2009, following the adoption of the Code of Practice on Employment and enactment of the relevant subsidiary legislation. Our intention is to review together with the EOC their requirement for additional resources to implement the RDO from that point onward. We have set aside an amount of around \$4 million to facilitate the enforcement of the RDO. However, the funding allocation to EOC is subject to the review over the next few months.

2. In 2008-09, there was a one-off provision of \$1 million for publicity and promotion of equal opportunities especially in the light of the race discrimination legislation, and a capital subvention of \$0.48 million for the production of training materials which was completed in 2008-09. Since these amounts are for 2008-09

only, and the 2009-10 estimate for the EOC has not yet taken into account the additional funding to be allocated for enforcement of the RDO, the 2009-10 estimate is slightly lower than the 2008-09 revised estimate.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB042

Question Serial No.

1565

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Why the revised expenditure for 2008-2009 has a increase of \$3
million over the original estimates?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The increase of \$3 million in the 2008-09 revised Estimates is due to the additional recurrent subvention of \$2.5 million provided to the Equal Opportunities Commission (EOC) for personal emoluments arising from the 2008-09 civil service pay adjustment and the one-off capital subvention of \$0.48 million for the production of training materials in 2008-09.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB043

Question Serial No.

1566

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: Please list out the research projects conducted by the Equal Opportunities Commission in 2008-2009, the cases taken to court, the start dates of these projects and cases, and the expenditure involved.

Asked by: Hon. LAU Wai-hing, Emily

Reply :

During the financial year 2008-09, the Equal Opportunities Commission (EOC) has launched a research study on “*Thematic Household Survey on Racial Acceptance in Hong Kong*”. The study started in April 2008 and the estimated expenditure of the study is \$800,000.

2. During the financial year 2008-09 (as at 9 March 2009), the EOC has assisted victims of discrimination in bringing their cases to court in six cases.

	Ordinance involved	Case	Date of initiating legal proceeding (i.e. issuance of writs)
1.	Disability Discrimination Ordinance (DDO)	Alleged disability discrimination and dismissal while on recommended sick leave	April 2008
2.	Sex Discrimination Ordinance	Alleged pregnancy discrimination. Victim dismissed shortly after giving pregnancy notice	September 2008
3.	DDO	Alleged disability discrimination. Victim was transferred to another position and eventually dismissed	September 2008

4.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability and sick leaves	January 2009
5.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability	January 2009
6.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her hearing impairment	January 2009

3. Of these cases, two (cases 2 and 6) have been settled before trial. No trial date has been fixed for the four remaining cases. Legal assistance is provided by officers in the Legal Service Division of the EOC as well as outside counsels as appropriate. There is no separate breakdown on the manpower and other expenditures involved in such cases as they are provided as part of the responsibilities of the Legal Service Division of the EOC, and for on-going cases that have not been completed, the expenditure (if any) that will be involved in hiring outside counsels or other legal fees is not yet available.

Signature _____
Name in block letters JOSHUA LAW
Post Title Permanent Secretary for
Constitutional and Mainland Affairs
Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB044

Question Serial No.

1653

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : For self-initiated investigations made by the Equal Opportunities Commission in 2007-08, what is the number of cases where government departments are involved? Please list out the summary of these cases, the related ordinances, the departments involved, findings of the investigations, the follow-up actions taken and the number of investigators responsible for handling the cases.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In the financial year 2007-08, the Equal Opportunities Commission (EOC) had initiated investigation into 15 situations involving government departments/public bodies, with two of them related to the Sex Discrimination Ordinance (SDO) and 13 to the Disability Discrimination Ordinance (DDO). The ordinance concerned, findings and follow-up actions of the respective cases are at Annex.

2. The cases were handled by the Operations Division of the EOC as an integral part of their duties. No separate breakdown was kept on the manpower involved in each case.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Annex

Ordinance	Nature	Department / public body concerned	Findings and follow-up actions
SDO (2)	Employment (2)		
	Recruitment: different physical tests for male and female applicants	Civil Aid Service	Advice given on the relevant provisions relating to employment under SDO.
	Insufficient changing rooms for female staff	Leisure and Cultural Services Department	Became a formal complaint. Department advised to improve facilities.
DDO (13)	Provisions of Goods and services (5)		
	Disabled toilets misused	Hospital Authority	Advised the Authority to ensure proper use of disabled toilet.
	Insufficient disabled toilets	Department of Health	Became a formal complaint. Facilities improved.
	Parking label for carer of a person with disability (PWD)	Transport Department	Carer of a PWD with Parkinson's disease was not entitled to parking label under the relevant transport regulations.
	Horse riding service for PWDs	Leisure and Cultural Services Department	Became a formal complaint. Investigation found the Department's policy justifiable for safety reason.
	Identification features of notes for person with visual impairment	Hong Kong Monetary Authority	Facilities improved.
	Accessibility (8)		
	Footbridge and connecting stair lift / ramps	Housing Department	Improvements planned.
	Improvement of accessibility between buildings	Housing Department	The Department would consider feasibility of installing passenger lifts.
	Access to markets and shopping malls.	Housing Department	Alternate route provided. Advised to improve direct and seamless access.
	Absence of dropped kerbs at bus stops	Highways Department	Became a formal complaint. Facilities improved.
	Provision of barrier-free polling stations	Registration and Electoral Office	The Office agreed to provide assistance where necessary

Ordinance	Nature	Department / public body concerned	Findings and follow-up actions
	Provision of ramp adjacent to the staircase	Home Affairs Department	Alternate route available. The Department considered further improvements.
	One step at the entrance of a methadone clinic	Department of Health	Improvements planned.
	Concessionary fare for PWDs	Transport and Housing Bureau	Discussions took place at Legislative Council. The EOC is monitoring development.

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB045

Question Serial No.

1654

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that in 2009-2010, the Equal Opportunities Commission will "build relationships with equivalent bodies in the Mainland and overseas through proactive networking and co-operation". In this connection, please advise on the resources earmarked by the Commission for networking and the organisations with which it has planned to build network.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Networking with counterparts in the Mainland and other countries is important for the Equal Opportunities Commission (EOC), as this provides a valuable platform for exchanges of knowledge and ideas, which is the key to development and enhancement of the EOC's work. Such organisations include government departments and parliamentary bodies, public bodies, organisations concerned with women and persons with a disability, labour groups and legal practitioners.

2. In 2009-10, the EOC will continue to maintain contact and relationships with organisations of a similar nature in the Mainland and overseas countries, which are interested in the work of the EOC due to the nature of their functions, through means such as regular liaison, distribution of publications from EOC, receiving visits from delegations and participation in conferences. The EOC has set aside a provision of \$250,000 which covers participation in conferences and meetings outside Hong Kong. Other costs involved will be absorbed in the operational expenses of the EOC in 2009-10 and no separate breakdown is available.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB046

Question Serial No.

1655

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is already stated in the 2008-2009 budget speech that \$16 million would be earmarked as the operating expenses of 4 support service centres for ethnic minorities and an additional \$8 million would be allocated to subsidise their start-up cost. What are the reasons for allocating additional provision for the same purpose in 2009-2010?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

We are in the process of selecting the most suitable applicants to run the four regional support service centres for ethnic minorities. The centres are expected to commence their services in mid-2009. We expect that for the inception of these four centres, the organisations concerned will have to incur start-up costs such as fitting out of premises, purchase of furniture and equipment, etc. Hence, we have set aside up to \$8 million for this purpose. A provision of \$3 million is included in the 2008-09 revised estimate as part of the setting up cost and about \$5 million in the 2009-10 estimate as the remaining part of the setting up cost. No provision out of the \$8 million funding is reserved in subsequent years.

2. A provision of \$16 million is also included in the 2009-10 estimate for funding the annual recurrent expenditure of the four centres including staff costs, rental of premises, operational expenses for organising activities and other administrative expenditure. Similar recurrent provisions will need to be made in subsequent years to finance the operation of these centres.

3. The statement made in the 2008-09 budget speech about earmarking \$16 million for operating expenses of the four centres and \$8 million to subsidise the start-up cost conveyed our policy of establishing these four centres to support ethnic minorities. In practice, since we plan to provide the four centres with part of the start-up cost in 2008-09, the amount of \$8 million has not been expended in full in 2008-09. The remaining part of the setting up cost and the annual operating cost will be incurred in 2009-10. No additional provision is being made for the same purpose in 2009-10.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB047

Question Serial No.

1656

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please advise on the rank of, the salary provision for and the main responsibilities of the one new post to be created.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

One permanent post of Senior Executive Officer will be created to assist the work of the Constitutional and Mainland Affairs Bureau in promoting racial equality and enhancing the provision of support services for ethnic minorities. The work includes overseeing the establishment and operation of four regional support service centres for ethnic minorities, and the preparation of administrative guidelines for the promotion of racial equality as well as the monitoring of their implementation by relevant Bureaux and Departments. The expenditure involved for this post in 2009-10 is estimated to be \$0.76 million.

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____
Permanent Secretary for
Constitutional and Mainland Affairs

Date _____
19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB048

Question Serial No.

1657

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office
(2) Constitutional and Mainland Affairs
(3) Mainland Offices
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The number of posts in the Constitutional and Mainland Affairs Bureau has progressively increased from 44 in 2006 to 132 in 2010. Please advise, by year, the reasons for staff increase and the increased expenses on emoluments. Besides, there will be an increase of 16 posts in 2010 over 2009, please list out the establishment and the remuneration for the new posts to be created and the reasons for creating such posts.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The total number of posts in the then Constitutional Affairs Bureau (CAB) as at 31 March 2006 was 44. The number of posts in the Constitutional and Mainland Affairs Bureau (CMAB) will increase to 132 as at 31 March 2010. The changes in establishment over the years are set out below -

Position as at	Net increase (Total number of posts in CAB/CMAB)	Reasons for increase in the number of posts	Total Notional Annual Mid-point Salary value
31 March 2007	36 posts (80 posts)	Setting up of the Mainland Affairs Liaison Office (MALO) and the Hong Kong Economic and Trade Offices (ETO) in Shanghai and Chengdu, as well as transfer of the ETO in Guangdong to CMAB.	\$27.22 million

Position as at	Net increase (Total number of posts in CAB/CMAB)	Reasons for increase in the number of posts	Total Notional Annual Mid-point Salary value
31 March 2008	14 posts (94 posts)	Transfer of two teams of staff from the Home Affairs Bureau to CMAB due to the transfer of policy responsibility relating to human rights and access to information to CMAB with effect from 1 July 2007.	\$8.84 million
31 March 2009	22 posts (116 posts)	Incorporation of the Beijing Office into CMAB with effect from 1 April 2008; and creation of additional posts for preparing the Hong Kong Special Administrative Region (HKSAR)'s participation in the World Exposition 2010 Shanghai China, enhancing promotion of the Basic Law, taking forward the five Law Reform Commission reports, providing support for constitutional development, and providing secretarial support to the Under Secretary for Constitutional and Mainland Affairs.	\$20 million

2. There will be a net creation of 16 posts in 2009-10 raising the total number of posts to 132 as at 31 March 2010. Details of the 16 posts are as follows -

- (a) five time-limited posts, including one Administrative Officer Staff Grade C (AOSGC), one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the HKSAR Government in support of reconstruction in the earthquake stricken areas of Sichuan;
- (b) three time-limited posts, including one AOSGC, one Building Services Engineer and one Executive Officer I, for preparing HKSAR's participation in the World Exposition 2010 Shanghai China, as well as providing professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition;
- (c) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical

Officers, for making preparations for and dealing with the public consultation on the electoral arrangements for 2012;

- (d) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau; and
- (e) one permanent post of Senior Executive Officer to assist the Bureau's work in promoting racial equality and enhancing the provision of support services for ethnic minorities.

The expenditure involved for creation of 11 posts, excluding the five posts to be funded under the Trust Fund in Support of Reconstruction in the Sichuan Earthquake Stricken Areas, is estimated to be \$6.08 million.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB049

Question Serial No.

1658

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) : 700 General
Non-recurrent

Programme : (4) Rights of the individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please list out the expenditure on promotion of human rights for the past five years (i.e. 2004-2005 to 2008-2009), the events to be organised in 2008-09, the expenditure involved, the organisers and the target groups.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government has been taking measures to promote the rights of individuals through various means and channels, including education at schools, community activities, collaboration with non-government organisations and publicity activities. The commitment of \$750,000 for the promotion of human rights under subhead 700 General Non-recurrent accounts for a small part of the overall expenditure on the promotion of human rights.

2. Of this amount, \$337,000 was incurred before 2004-05 for promotion of human rights including publicity on the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights for members of the public. No expenditure was incurred for 2004-05 to 2007-08. In 2008-09, the estimated expenditure under this subhead is \$263,000, which covers the design and printing cost of two comic booklets on ICCPR and the Convention on the Rights of the Child by the Constitutional and Mainland Affairs Bureau. The booklets target particularly at children.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB050

Question Serial No.

1659

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : For self-initiated investigations conducted by the Office of the Privacy Commissioner for Personal Data, please give an account of the subject matters being investigated, the parties involved, the time used in investigation, the progress or findings of the investigations, as well as the manpower and expenditure involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

All staff of the Office of the Privacy Commissioner for Personal Data (PCPD) are required under Section 46(1) of the Personal Data (Privacy) Ordinance to maintain secrecy in respect of any information obtained in an investigation. PCPD is therefore unable to accede to a request for specific information of an investigation. That said, as the data users in respect of seven of these eight self-initiated investigations have already disclosed details of the cases to the public, the requested information in respect of these seven cases are provided at the Annex. In respect of the remaining case, the PCPD could only provide generalised information on the case (see Case 2 at Annex).

2. In 2008, the PCPD deployed four officers (Chief Privacy Compliance Officer, Senior Personal Data Officer, Personal Data Officer and Assistant Personal Data Officer) to handle these eight self-initiated compliance investigations. Since the investigation work involved is part of the staff's duties, there is no separate breakdown on the actual expenditure incurred.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Case	Date of Incident	Data User	Details of the Incident	Progress/Findings	Time Taken
1	12 April 2007	Hospital Authority (“HA”) - Pamela Youde Nethersole Eastern Hospital	A research assistant lost a USB flash drive storing the personal data of 43 patients.	Investigation is continuing.	Not applicable
2	June 2007	Private Company	Unfair/excessive collection of personal data.	Investigation is continuing.	Not applicable
3	12 October 2007	HA–Kowloon Hospital	A community nurse lost a PDA device storing the personal data of 13 patients.	Case completed on 6 November 2008. Contravention of Data Protection Principle (“DPP”) 4. HA had assured PCPD that it would abide by the 37 recommendations set out in PCPD’s Report on the Inspection of HA’s Patients’ Data System and provide quarterly progress reports on its implementation.	About 6 months*
4	November 2007	HA–Pamela Youde Nethersole Eastern Hospital	A medical officer lost a USB flash drive storing the personal data of 743 patients.	Case completed on 29 December 2008. Contravention of DPP 4. HA had assured PCPD that it would abide by the 37 recommendations set out in PCPD’s Report on the Inspection of HA’s Patients’ Data System and	About 8 months*

Case	Date of Incident	Data User	Details of the Incident	Progress/Findings	Time Taken
				provide quarterly progress reports on its implementation.	
5	March 2008	HA–Kowloon Hospital	A nurse lost a MP3 player storing the personal data of 31 patients.	Case completed on 19 December 2008. Contravention of DPP 4. HA had assured PCPD that it would abide by the 37 recommendations set out in PCPD's Report on the Inspection of HA's Patients' Data System and provide quarterly progress reports on its implementation.	About 7 months*
6	15 March 2008	HA–Pamela Youde Nethersole Eastern Hospital	A nurse lost a USB flash drive storing the personal data of 150 patients.	Case completed on 20 February 2009. Contravention of DPP 4. HA had assured PCPD that it would abide by the 37 recommendations set out in PCPD's Report on the Inspection of HA's Patients' Data System and provide quarterly progress reports on its implementation.	About 9½ months*
7	18 April 2008	Department of Health	A medical officer of the Department of Health lost a USB flash drive storing	Investigation is continuing.	Not applicable

Case	Date of Incident	Data User	Details of the Incident	Progress/Findings	Time Taken
			the personal data of 668 clients.		
8	1 May 2008	HA–Prince of Wales Hospital	A clerical staff lost a USB flash drive storing the personal data of 10 102 patients.	Case completed on 28 November 2008. Contravention of DPP 4. HA had assured PCPD that it would abide by the 37 recommendations set out in PCPD’s Report on the Inspection of HA’s Patients’ Data System and provide quarterly progress reports on its implementation.	About 7 months*

* *PCPD commenced compliance investigation against the relevant HA hospital on 6 May 2008.*

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB051

Question Serial No.

1660

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of “investigation completed”, “investigations in progress” and “complaints brought forward”, please list the time needed for processing such cases, i.e. from the date of receipt of the cases till the end of February 2009 or completion of the investigation. Please also list the number of these cases and the percentage of these cases against the total number of complaint cases.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

During 2008, the Office of the Privacy Commissioner for Personal Data (PCPD) had to handle 946 complaint cases, including 153 cases brought forward from 2007. By 28 February 2009, PCPD had completed 894 (95%) of these cases. Of these 894 cases :

- 765 cases (86%) were completed within 90 days;
- 82 cases (9%) were completed beyond 90 days but within 180 days;
- 47 cases (5%) were completed beyond 180 days.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB052

Question Serial No.

1661

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please list out the respective number of staff in the Office of the Privacy Commissioner for Personal Data and their rank responsible for promoting public understanding of the provisions of the Personal Data (Privacy) Ordinance, conducting investigations and carrying out inspections of personal data systems, as well as the average number of cases handled by each investigator each year and the number of investigators responsible for conducting self-initiated investigations.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

As at 9 March 2009, the following staff members of the Office of the Privacy Commissioner for Personal Data (PCPD) are responsible for promoting understanding of the provisions of the Personal Data (Privacy) Ordinance :

- 1 Corporate Communications Manager
- 2 Corporate Communications Officers

2. A team of 12 staff members is responsible for conducting investigations into complaints and their respective ranks are as follows :

- 1 Chief Personal Data Officer (overall supervision)
- 2 Senior Personal Data Officers
- 5 Personal Data Officers
- 4 Assistant Personal Data Officers

In 2008, the PCPD conducted investigations into 946 complaints. On average, each of the 11 case officers responsible for conducting investigations handled 86 complaints in a year.

3. Compliance enforcement work, including self-initiated investigations, inspections of personal data systems, compliance checks, applications for consent to carry out matching procedures as well as handling of public enquiries, is separately handled by the Compliance Division of the PCPD which comprises eight officers. Of these eight officers, the following officers are responsible for carrying out self-initiated investigations and inspections of personal data systems, apart from other compliance duties:

- 1 Chief Privacy Compliance Officer
- 1 Senior Personal Data Officer
- 1 Personal Data Officer
- 1 Assistant Personal Data Officer

4. In 2008, the PCPD conducted eight self-initiated investigations and one inspection of the patients' personal data system of a hospital of the Hospital Authority. Since the self-initiated investigations were part of the staff's duties and over half of the workforce of the PCPD was deployed to conduct the inspection which took about two months to complete, there is no separate breakdown on the average case output figures on self-initiated investigations and inspections.

5. Please note that the above manpower figures do not include manpower input by directorate officers, as well as clerical and secretarial support.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB053

Question Serial No.

1765

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The main responsibilities of the Constitutional and Mainland Affairs Bureau include: co-ordinate and enhance exchanges and co-operation with Taiwan. In this connection, please advise on:

- (a) the specific work undertaken last year, ie. 2008;
- (b) the effectiveness of such work;
- (c) the specific arrangements for enhancing exchanges and co-operation with Taiwan in 2009.

Asked by : Hon. IP Kwok-him

Reply :

The Constitutional and Mainland Affairs Bureau coordinates the government's liaison with Taiwan organisations in Hong Kong under the framework of the "One China" policy and "Qian's Seven Principles". In 2008-09, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported exchanges between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of "One Country, Two Systems" through, among other means, inviting Taiwan personalities from different sectors to visit Hong Kong, and briefing relevant incoming Taiwan visitors.

2. In 2008-09, we have proactively liaised with a wide spectrum of sectors in Taiwan. We have received members of the Taiwan legislature, including those from Pan-Blue and Pan-Green camps. We have received prominent political figures, including representatives of the Straits Exchange Foundation. We have received officials at the county and city levels of Taiwan, including delegations led by the Mayors of Taichung city and Kaohsiung city respectively, the Taipei city council and other public institutions. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in

Taiwan on the implementation of “One Country, Two Systems” concept in Hong Kong.

3. We have sponsored local non-governmental organisations for organising six Hong Kong-Taiwan forum and seminars on topics of mutual interest to both places. We have also sponsored the organisation of study tours for students in Hong Kong, the Mainland and Taiwan. Over 500 students participated in the study tours to exchange views, enhance mutual understanding and build up their friendship.

4. In 2009-10, we will continue to enhance exchanges and co-operation with Taiwan. Our major work will include –

- (a) organising the first Hong Kong-Taiwan Inter-City Forum with Taichung city to discuss issues related to economic and trade development, tourism etc;
- (b) sponsoring forum, seminar and related activities organised by non-governmental organisations to promote Hong Kong-Taiwan exchanges;
- (c) inviting Taiwan personalities from different sectors to visit Hong Kong and briefing them on the latest developments of Hong Kong and the implementation of “One Country, Two Systems”;
- (d) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan;
- (e) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan; and
- (f) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors to understand the latest developments of Hong Kong and the implementation of “One Country, Two Systems”.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB054

Question Serial No.

1766

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is mentioned in the budget speech of the Financial Secretary, Mr John Tsang, that to celebrate the 60th anniversary of the founding of the People's Republic of China, the government will join with various sectors of the community to organise a number of celebration activities. According to the information released by the government, an amount of \$35 million has been earmarked for the organisation of celebration activities alone. In this connection, please advise on:

- (a) the role of the Constitutional and Mainland Affairs Bureau in the planning and organisation of such activities;
- (b) the specific work programme for planning and organising the activities.

Asked by : Hon. IP Kwok-him

Reply to (a) and (b):

The 60th anniversary of the founding of the People's Republic of China is an important milestone in our Country's history. The HKSAR Government will show our utmost support and participate in activities to celebrate and mark this important occasion. The format and details of relevant celebration activities have yet to be finalised.

2. Home Affairs Bureau will co-ordinate the overall planning work of the Administration in celebration of the 60th National Day, with a view to drawing up a celebration programme with wide participation by the Hong Kong community. Under the Constitutional and Mainland Affairs Bureau, the Mainland Offices will organise and/or participate in relevant celebration activities in the Mainland, and in so doing, the Mainland Offices will flexibly deploy their resources and allocation.

If necessary, the Mainland Offices would seek additional funds in accordance with the established procedures.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB055

Question Serial No.

1767

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : As stated in para. 27 under Programme (3)(i), the Mainland Offices handled a total of 267 requests for assistance from the general public in 2008 (other than those relating to immigration and personal safety matters handled by the Immigration Divisions of the BJO and the Guangdong ETO). Please categorize the 267 requests for assistance.

Asked by : Hon. IP Kwok-him

Reply : The 267 requests for assistance handled by the Mainland Offices in 2008 are categorized as follows:

Category		Number of Requests Handled
1.	Business and trade disputes	23
2.	Complaints relating to real estate	41
3.	Complaints against administrative, law enforcement and judicial agencies in the Mainland	146
4.	Others	57
Total :		267

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB056

Question Serial No.

1768

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question : In paragraph 24 of subsection (i) under Programme (3), it is mentioned that as an on-going effort to promote Hong Kong, the Mainland Offices had organised promotional events to publicise Hong Kong in the Mainland. Please list in detail the major promotional events organised in 2008 and planned to be organised in 2009 by each Mainland Office.

Asked by : Hon. IP Kwok-him

Reply :

In 2008, the four Mainland Offices organised a series of activities in the areas under their coverage to promote Hong Kong. Taking the opportunity of the 2008 Beijing Olympics, particularly our role as host to the Olympic and Paralympic Equestrian Events, exhibitions were held in 23 major trade fairs/expos/events in various Mainland cities. A total of 97 events/activities were organised during the year, as follows -

Event / Activity	Beijing Office	Guangdong ETO	Shanghai ETO	Chengdu ETO	Total
Exhibition	32	11	10	3	56
Seminar	13	1	4	2	20
Reception	3	2	1	1	7
Publication	1	3	1	1	6
Radio Programme	3	-	-	-	3
Cultural Performance	4	1	-	-	5
Total	56	18	16	7	97

2. In 2009, the Mainland Offices will continue to step up their efforts and explore opportunities to promote Hong Kong in the Mainland. For example, the Beijing Office will organise and participate in activities to celebrate the 60th Anniversary of the establishment of the PRC in the Mainland. The Guangdong Economic and Trade Office (ETO) will step up its promotional effort to enhance understanding of the opportunities brought about by the implementation of the Outline of the Plan for the Reform and Development of the Pearl River Delta. Shanghai ETO will, among its priorities, promote the HKSAR's participation in the World Exposition 2010 Shanghai China. On the other hand, Chengdu ETO will continue to promote HKSAR's post-quake reconstruction support work and the opportunities for Hong Kong investors and professional sectors.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB057

Question Serial No.

1769

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Commerce and Economic Development

Question : In paragraph 29 of subsection (i) under Programme (3), it is mentioned that the Mainland Offices will promote Hong Kong in the Mainland, particularly those selected provinces/regions/municipalities for the promotion of professional services sectors and taking into consideration the potential for developing business opportunities between Hong Kong and the Mainland locations concerned and interests of the various sectors of the Hong Kong Special Administrative Region. Please list out the specific work programme.

Asked by : Hon. IP Kwok-him

Reply :

One of the aims of the Mainland Offices in the economic and trade area is to represent and promote Hong Kong's trade and commercial interests in the Mainland. The Mainland Offices adopt a multi-pronged approach in taking this forward. They do so by proactively approaching Hong Kong investors/practitioners in the places concerned and following up issues of common concern through appropriate channels; assisting Hong Kong investors/practitioners in obtaining information on business operation in the Mainland, particularly those relating to new laws and policies; and by assisting in arranging trade delegations to the Mainland etc.

2. As an integral part of the above work, opportunities will be taken in 2009-10 to incorporate the promotion of Hong Kong's professional services into the various activities to be launched by the Mainland Offices, including seminars, exhibitions, workshops and speeches as appropriate. The Mainland Offices will also explore opportunities to conduct dedicated activities targeted at the promotion of professional services matching the interests of the concerned professional sectors and the needs and circumstances of the selected provinces, regions and municipalities. Planned activities include seminars and workshops on Hong

Kong's modern services (including those covered under the Mainland and Hong Kong Closer Economic Partnership Arrangement), and trade missions to selected Mainland provinces/municipalities etc. The Mainland Offices will maintain close contact with the relevant professional sectors in Hong Kong during the process.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB058

Question Serial No.

1770

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With respect to paragraph 42 under Programme, please list out:

- a. the number of projects applied for grants under the Equal Opportunities (Race) Funding Scheme in 2008;
- b. the number of projects applied for grants under the Children's Rights Education Funding Scheme in 2008.

Asked by : Hon. IP Kwok-him

Reply :

In 2008-09, the number of projects involved in applications for sponsorship under the Equal Opportunities (Race) Funding Scheme and under the Children's Rights Education Funding Scheme is 42 and 31 respectively.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB059

Question Serial No.

1771

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The main responsibilities of the Constitutional and Mainland Affairs Bureau include: co-ordinate the promotion of closer ties with the Mainland, and facilitate exchanges and co-operation with the Pan-Pearl River Delta, Guangdong (including Shenzhen), and other areas including Beijing and Shanghai in the Mainland and Macao Special Administrative Region. In this connection, please advise on:

- (a) the main initiatives undertaken last year, i.e. 2008;
- (b) the work plan for next year i.e. 2009, and the estimated expenditure.

Asked by : Hon. IP Kwok-him

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) is committed to promoting regional co-operation with the Mainland, as well as developing and maintaining a good working relationship with the Government of the Macao Special Administrative Region. Our replies to the two parts of the question are as follows -

- (a) In 2008, the above efforts were pursued in the form of meetings, visits, exchanging and sharing of information under the co-operation frameworks of Pan-Pearl River Delta Regional Co-operation Framework Agreement, Hong Kong/Guangdong Co-operation Joint Conference, Hong Kong/Shenzhen Co-operation Meeting, Hong Kong/Shanghai and Hong Kong/Beijing Economic and Trade Co-operation Conferences and Hong Kong/Macao Co-operation Meeting.

CMAB has been, via the above platforms, co-ordinating efforts in pushing forward co-operation on areas of economics and trade, environmental protection, innovation and technology, as well as major cross-boundary infrastructural projects and boundary control points, etc. Major initiatives

under these areas include expanding the Closer Economic Partnership Arrangement; supporting Hong Kong-invested enterprises in restructuring and upgrading of processing trade as well as assisting the small and medium-sized enterprises; implementing the Pearl River Delta Regional Air Quality Management Plan and Cleaner Production Partnership Programme; enhancing the Guangdong/Hong Kong Technology Co-operation Funding Scheme; taking forward collaboration initiatives under the Shenzhen/Hong Kong Innovation Circle framework, pressing ahead with the Hong Kong–Zhuhai–Macao Bridge, Guangzhou–Shenzhen–Hong Kong Express Rail Link and Liantang/Heung Yuen Wai Boundary Control Point; fostering closer co-operation between the two airports in Hong Kong and Shenzhen; and developing the Lok Ma Chau Loop, etc.

- (b) In the coming year, we will continue with the above efforts in promoting regional co-operation with the Mainland, as well as enhancing our co-operation with the Macao Special Administrative Region. We will also push forward co-operation with Guangdong and Macao in implementing the “Outline of the Plan for the Reform and Development of the Pearl River Delta”, which provides guidance on the long-term development of Hong Kong, Guangdong and Macao. We have earmarked about \$3.89 million in 2009-10 for the above purposes. This amount represents the direct expenditure which is expected to be incurred in relation to various conferences, visits and similar events. In addition, our four Mainland Offices have financial provision for undertaking promotions to further strengthen our relations with the respective provinces and municipalities.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB060

Question Serial No.

1772

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What publicity programmes will be organised in 2009-2010 to promote the Basic Law?

Asked by : Hon. IP Kwok-him

Reply :

We plan to organise various activities in 2009-10 to promote the Basic Law. The following three promotional strategies will be adopted:

- firstly, we will use the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the “One Country, Two Systems”;
- secondly, we will enhance public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals; and
- thirdly, we will strengthen the co-operation with community organisations in organising promotional activities, in order to reach a wider audience through their extensive community networks.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB061

Question Serial No.

1773

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Security

Question : What is the total number of cases of Hong Kong investors requesting assistance received by the four Mainland Offices last year, i.e. 2008. What were the matters involved and in what ways were these cases handled?

Asked by : Hon. IP Kwok-him

Reply :

In handling requests for assistance from Hong Kong residents, the Mainland Offices do not distinguish Hong Kong residents from Hong Kong investors. In 2008, the Mainland Offices handled a total of 665 requests for assistance from Hong Kong residents/Hong Kong investors, as follows:

Category		Number of Request Handled
Cases relating to immigration and personal safety matters		
1.	Loss of travel documents or monies	54
2.	Persons in danger, involved in traffic accidents, injured or whose relatives had passed away in the Mainland	298
3.	Detention	46
Sub-total :		398
Other cases		
4.	Business and trade disputes	23
5.	Complaints relating to real estate	41
6.	Complaints against administrative, law enforcement and judicial agencies in the Mainland	146
7.	Others	57
Sub-total :		267
Total		665

2. For cases relating to immigration and personal safety matters, assistance rendered by the Immigration Divisions of Beijing Office and Guangdong Economic and Trade Office usually covers the following scenarios:

- (a) Loss of travel documents or monies: Verifying the identity of the concerned Hong Kong residents who have lost their travel documents and facilitating their early return to Hong Kong. The Divisions will also contact the family of the concerned Hong Kong residents where necessary.
- (b) Accidents, injuries and decease cases: Providing practicable assistance to the concerned assistance seekers and their families, including:
 - (i) notifying, as soon as possible, relatives of the parties concerned;
 - (ii) contacting family/travel agencies to arrange for the early return of the injured persons to Hong Kong for treatment;
 - (iii) facilitating the entry of the injured persons at control points back to Hong Kong;
 - (iv) if medical treatment is required in the Mainland, and where practicable, providing information on medical services available for reference; and
 - (v) assisting family members of the deceased in completing the application procedures for death certificates and for transporting the bodies back to Hong Kong.
- (c) Arrest or Detention: The Divisions will gather details of the case from the assistance seekers (usually family members of the concerned Hong Kong resident) and explain to them the relevant Mainland laws, regulations and procedures for criminal cases under different stages of investigation, prosecution, trial or imprisonment, etc. They will also advise the assistance seekers that they may appoint Mainland lawyers as their legal representatives. Where required, the Divisions can provide the assistance seekers with the relevant contact details of law societies in the concerned provinces/region under its coverage, so that the assistance seekers may consider seeking appropriate legal representation. At the request of the assistance seekers, the Divisions will pass on and reflect their views and requests to the relevant Mainland authorities and provide them with relevant information for reference (e.g. the rights and obligations of a person under detention) according to the development of the case.

3. For other cases (items 4-7 in the Table at paragraph 1 above), the Mainland Offices would usually refer them to the relevant Mainland authorities. However, some cases, such as those under judicial proceedings or involving private contractual disputes, or assistance sought by non-Hong Kong residents, might fall outside the scope of the established referral mechanism. The Mainland Offices

could not process the requests further and would carefully explain the situation to the assistance seekers.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB062

Question Serial No.

1774

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development
Secretary for Security

Question : What are the staffing establishments of the Beijing Office and the three Economic and Trade Offices (ETOs) in Guangdong, Shanghai and Chengdu? In view of the promulgation of the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) and as the opening of the Shanghai Expo draws near, have the ETOs in Guangdong and Shanghai increased their staffing support? What are the arrangements?

Asked by : Hon. IP Kwok-him

Reply :

The establishment of the Beijing Office for 2009-10 will comprise 3 directorate officers (i.e. 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 13 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Assistant Information Officer, 1 Executive Officer I and 1 Senior Personal Secretary). The office will be supported by 26 locally-engaged staff to assist in various duties.

2. The establishment of the Guangdong ETO for 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 11 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Principal Trade Officers, 3 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers and 1 Principal Information Officer). The office will be supported by 20 locally-engaged staff to assist in various duties.

3. The establishment of the Shanghai ETO in 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 5 non-directorate

officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers and 1 Senior Information Officer). The office will be supported by 11 locally-engaged staff to assist in various duties.

4. The establishment of the Chengdu ETO in 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade C) and 4 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Trade Officers and 1 Senior Information Officer). The office will be supported by 14 locally-engaged staff to assist in various duties.

5. Since its establishment in 2002, the Guangdong ETO has been maintaining close contact and cooperation with Mainland authorities and organisations on the overall developments and commercial relationships between Hong Kong and provinces/region under its coverage. Following the promulgation of the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline), Guangdong ETO will step up its liaison with the Mainland authorities and organisations, so as to strengthen communication and enhance understanding of the opportunities brought about by the implementation of the Outline. The extra work involved will be absorbed by the existing manpower of the Guangdong ETO.

6. The World Exposition 2010 Shanghai China (Shanghai Expo) will be held in Shanghai in May – October 2010. HKSAR's participation in the event covers a wide range of large-scale activities, including the construction and operation of a stand-alone Hong Kong Pavilion, mounting and running of a dedicated exhibition in the Urban Best Practice Area Exhibition, organisation and presentation of a series of cultural performances and promotional activities, as well as the development of an Online Hong Kong Pavilion. Shanghai ETO has been providing support in the coordination of planning and implementation of HKSAR's participation in the Shanghai Expo. It will continue to do so with the existing staffing provision.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB063

Question Serial No.

1775

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that provision for the Mainland Offices for 2009-2010 is \$5.3 million (4.6%) higher than the revised estimate for 2008-09. The increase is mainly due to increased provisions for personal emoluments and personnel-related expenses, as well as for general departmental expenses in the Mainland Offices. Please provide details of and reasons for the increase.

Asked by : Hon. IP Kwok-him

Reply :

There is a \$5.3 million (4.6%) increase in the provision for Programme (3) for 2009-10 compared with the revised estimate for 2008-09. This is mainly due to the following factors:

- (i) In 2008-09, the revised estimate for personal emolument of the Mainland Offices is lower than the original estimate, due mainly to manpower deployment reasons, such as temporary time gap between postings, and engagement of locally-engaged staff pending deployment of suitable Hong Kong based officers. Full year provision based on the Mainland Offices' establishment is made for 2009-10, accounting for about \$1.4 million increase in the personal emolument expenditure compared with that of 2008-09.
- (ii) The Shanghai Economic and Trade Office and Chengdu Economic and Trade Office were set up in 2006. In the same year, the Investment Promotion Unit and Immigration Division were set up in the Beijing Office and Guangdong ETO respectively. A number of Hong Kong based officers posted to these Mainland Offices will return to Hong Kong in 2009 upon completion of their tenure of posting. Provision has been made for the related allowances for posting these officers back to Hong Kong and posting their

successors to the Mainland Offices. The related net increase of provision for this purpose is about \$1.6 million.

- (iii) Taking into account the level of activities of the Mainland Offices, and possible exchange rate fluctuation of Renmenbi, the provision for Departmental Expenses and Other Charges for the Mainland Offices is increased by about \$2.3 million.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

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**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB064

Question Serial No.

1776

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Has the Administration drawn up any work plan for the implementation of the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) promulgated by the National Development and Reform Commission on 8 January this year so as to facilitate its co-ordination with various bureaux the arrangements in relation to the Outline? What are the resources involved?

Asked by : Hon. IP Kwok-him

Reply :

The "Outline of the Plan for the Reform and Development of the Pearl River Delta" (the Outline) was promulgated by the National Development and Reform Commission on 8 January 2009. It reaffirms the major achievements made by the Pearl River Delta Region (PRD Region) in the 30 years of the nation's reform, opening up and development. It also provides guidance on the long-term development between the PRD Region and Hong Kong/Macao. The Administration welcomes the launch of the Outline and attaches great importance to it.

2. In less than two weeks upon its publication, Hong Kong and Guangdong held a working meeting on 21 January 2009 to discuss the implementation of the Outline. Within about one month, a liaison and co-ordinating meeting was also held between Hong Kong, Guangdong and Macao on 19 February 2009 to confirm the co-operation details for the implementation of the Outline. The three Governments also agreed to convene liaison and co-ordinating meeting in a timely manner, so as to discuss strategies with the relevant parties.

3. To further enhance co-operation between Guangdong and Hong Kong, both sides agreed to push forward co-operation on four major areas, including infrastructure projects, as well as industrial, environmental and educational

co-operation; to jointly formulate regional co-operation plans on two specialised topics (i.e. “jointly building a high-quality living community” and “infrastructure construction”); and to draw up a framework agreement for Hong Kong-Guangdong co-operation.

4. The Administration has been following up the above initiatives actively. As far as the Hong Kong Special Administrative Region is concerned, these initiatives straddle across the policy areas of many bureaux. The Constitutional and Mainland Affairs Bureau will continue to co-ordinate efforts in this regard to ensure the smooth implementation of the Outline. The Guangdong Economic and Trade Office (GDETO) will also step up its liaison with the relevant Mainland authorities and related organisations, so as to strengthen communication and enhance understanding of the Outline.

5. In 2009-10, we have earmarked about \$1.45 million under Programme (2) for the promotion of co-operation among Hong Kong, Guangdong and Macao. This amount covers the direct expenditure to be incurred in respect of various conferences, seminars and similar events. However, the Bureau as a whole and the GDETO will have staff and other resources which will be involved in the implementation of the Outline.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB065

Question Serial No.

1752

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Commerce and Economic Development,
Secretary for Security

Question : What are the respective establishments of the Beijing Office and the
Economic and Trade Offices in Guangdong, Chengdu and Shanghai?
Are there any changes compared to that for last year, ie. 2008-2009?

Asked by : Hon. TAM Yiu-chung

Reply :

The establishment of the Beijing Office (BJO) for 2009-10 will comprise 3 directorate officers (i.e. 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 13 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Assistant Information Officer, 1 Executive Officer I and 1 Senior Personal Secretary). During 2008-09, 1 Senior Executive Officer post was redeployed to the Constitutional and Mainland Affairs Bureau (CMAB) in August 2008 to assist in coping with additional administrative work following the merger of the BJO's expenditure head with that of CMAB. The office will be supported by 26 locally-engaged staff to assist in various duties.

2. The establishment of the Guangdong ETO for 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 11 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Principal Trade Officers, 3 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers and 1 Principal Information Officer). There is no change in the establishment of Hong Kong based officers in 2009-10 compared with that in 2008-09. The office will be supported by 20 locally-engaged staff to assist in various duties.

3. The establishment of the Shanghai ETO in 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade B) and 5 non-directorate officers (i.e. 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers and 1 Senior Information Officer). During 2008-09, one two-year time-limited Executive Office I post lapsed in July 2008. The post was originally created to assist in the setting up of the ETO. The office will be supported by 11 locally-engaged staff to assist in various duties.

4. The establishment of the Chengdu ETO in 2009-10 will comprise 1 directorate officer (Administrative Officer Staff Grade C) and 4 non-directorate officers (i.e. 1 Senior Administrative Officer, 2 Trade Officers and 1 Senior Information Officer). During 2008-09, one two-year time-limited Executive Office I post lapsed in July 2008. The post was originally created to assist in the setting up of the ETO. The office will be supported by 14 locally-engaged staff to assist in various duties.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

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**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB066

Question Serial No.

1753

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Commerce and Economic Development

Question : In respect of performance indicators for "Commercial relations" and "Liaison and public relations" for the Beijing Office and the Economic and Trade Offices in Guangdong, Chengdu and Shanghai for 2009, there is a decrease in all activities over 2008 except for seminars, exhibitions and workshops organised. What are the reasons?

Asked by : Hon. TAM Yiu-chung

Reply :

Major one-off events that took place in 2008 led to an upsurge of liaison and public relations activities in the year. These events include:

- (a) The major international event of Beijing 2008 Olympic Games hosted by China was held in Beijing in 2008. Hong Kong also co-hosted the Olympic and Paralympic Equestrian Events in Hong Kong. Various Olympic Games related publicity and commercial promotion activities were conducted in 2008 on the Mainland. The Mainland Offices had taken the opportunity to participate in these activities and step up their promotional and liaison work with the Mainland authorities, organisations and target audience. The Beijing 2008 Olympic Games was a one-off event, and the situation in 2009 is expected to be different.
- (b) The Sichuan earthquake which occurred in May 2008 brought about heavy casualties and massive damage, with Sichuan being the hardest hit province. Immediately after the incident, the Mainland Offices, particularly the Chengdu Economic and Trade Office and Beijing Office, had spared no efforts in liaising with the Central Authorities, Sichuan Government, local organisations in Sichuan, HKSAR Government bureaux/departments and Hong Kong non-government organisations etc. to assist in planning and implementing HKSAR's post-quake relief and

reconstruction support work. There had been a surge in relevant liaison work in 2008.

2. The Mainland Offices will continue to spare no efforts in seeking and exploring suitable opportunities to further promote Hong Kong's commercial and public relations on the Mainland.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB067

Question Serial No.

1754

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Commerce and Economic Development,
Secretary for Security

Question : What are the respective financial provisions for the 4 Mainland
Offices, i.e. the Beijing Office and the Economic and Trade Offices in
Guangdong, Chengdu and Shanghai for 2009-2010?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2009-10, the allocation for the Mainland Offices under Programme (3) is \$121 million. We have earmarked \$47.3 million for the Beijing Office, \$33.0 million for the Guangdong ETO, \$23.3 million for the Shanghai ETO and \$17.4 million for the Chengdu ETO.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB068

Question Serial No.

1755

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Commerce and Economic Development

Question : The number of projects pursued in investment promotion increased to 220 in 2008-2009. What was the focus of these projects?

Asked by : Hon. TAM Yiu-chung

Reply :

A major role of the Mainland Offices is to promote Hong Kong's many advantages as a trade, investment and business hub in the region, and to attract Mainland enterprises to invest in Hong Kong. The number of projects pursued refers to the number of investment projects handled, for which assistance and facilitation services have been provided to the companies concerned in setting up or expanding their operation in Hong Kong. The Investment Promotion Divisions of the Mainland Offices will continue to identify potential Mainland companies in the areas that they cover; proactively approach and visit the companies identified to encourage them to invest in Hong Kong; provide free, one-stop information and consultation services; and help identify and match Mainland potential investors with business partners in Hong Kong.

2. The estimated number of projects to be pursued by the four Mainland Offices in 2009 is 220, representing a slight increase of 1.4% compared with the 217 projects pursued in 2008. The estimation has taken into account the actual operational experience and manpower conditions of the Mainland Offices.

3. The Mainland Offices will continue to work together with Invest Hong Kong to proactively attract Mainland companies to invest in Hong Kong. The estimated number of projects to be completed in 2009 is 54, the same as that for 2008.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB069

Question Serial No.

1756

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs,
Secretary for Security

Question : What is the staff establishment of the Immigration Division in Individual Mainland Offices for 2009? Are there any changes compared to that for last year, i.e. 2008-2009?

Asked by : Hon. TAM Yiu-chung

Reply :

Currently, there is an Immigration Division set up under the Beijing Office and Guangdong ETO. The establishment of the Beijing Office's Immigration Division for 2009-10 will comprise 5 officers (1 Principal Immigration Officer, 1 Chief Immigration Officer and 3 Immigration Officers). In addition, 5 supporting staff will be engaged locally to provide clerical support to the Division. The establishment of the Guangdong ETO's Immigration Division for 2009-10 will comprise 4 officers (1 Principal Immigration Officer, 1 Chief Immigration Officer and 2 Immigration Officers). In addition, 1 supporting staff will be engaged locally to provide clerical support to the Division. The establishment of the Immigration Divisions for the two Offices for 2009-10 will be the same as that for 2008-09.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

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**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB070

Question Serial No.

1830

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In what time this year will the position of Political Assistant be filled?
Before filling the position, will assessments be made on the effectiveness of the positions of Under Secretary and Political Assistant created last year? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Under Secretaries are responsible principally for assisting the Secretaries in undertaking the full range of political work, including the handling of Legislative Council (LegCo) business, and deputising for the Secretaries during the latter's temporary absence. For instance, with effect from the 2008-09 legislation session, Secretaries or Under Secretaries would normally attend regular meetings of the relevant LegCo panel. These are important forums for the Government to explain its policies and to secure support for its initiatives. As part of their role in reaching out to the community, Under Secretaries chaired the district forums on the 2008-09 Policy Address.

2. Political Assistants are responsible principally for providing political support and input to the Secretaries and the Under Secretaries, and conducting the necessary political liaison at the instruction of the Secretaries and the Under Secretaries, including the liaison with the media and various stakeholders. Upon assuming office, the Political Assistants have provided advice from the political perspective on, for instance, the need for lobbying political parties / groups and the handling of invitations and correspondence from political parties / groups. They have also monitored views from interest groups and the general public on policy issues concerned and assessed the political implications.

3. The appointment of Under Secretaries and Political Assistants has strengthened the support to the Secretaries in undertaking political work, communicating with the LegCo and other stakeholders, such as District Councils, political parties/ groups, non-government organisations, district personalities as well as business, professional and other bodies, and explaining Government policies to the media and the public at large.

4. The system is now more complete than before and is serving its functions. The Government has no current plan to review the system.

5. Regarding the filling of the outstanding positions of Under Secretaries and Political Assistants, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB071

Question Serial No.

1831

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : For constitutional and mainland affairs, there will be a net increase of 15 posts in 2009-2010. Please provide details on each post that will be deleted and created.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

There will be a net creation of 15 posts under Programme (2) Constitutional and Mainland Affairs. Details of the 15 posts are set out below -

- (a) five time-limited posts, including one Administrative Officer Staff Grade C (AOSGC), one Chief Executive Officer, one Administrative Officer, one Executive Officer I and one Personal Secretary I, for taking forward the work of the Hong Kong Special Administrative Region (HKSAR) Government in support of reconstruction in the earthquake stricken areas of Sichuan;
- (b) three time-limited posts, including one AOSGC, one Building Services Engineer and one Executive Officer I, for preparing HKSAR's participation in the World Exposition 2010 Shanghai China, as well as providing professional input for the design and maintenance of the building services installations at the Hong Kong Pavilion and the Urban Best Practice Area Exhibition;
- (c) five time-limited posts, including one Senior Executive Officer, one Executive Officer II, one Personal Secretary II and two Assistant Clerical Officers, for making preparations for and dealing with public consultation on the electoral arrangements for 2012; and

- (d) two permanent posts, including one Executive Officer I and one Clerical Officer, for strengthening administrative support to the Bureau.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB072

Question Serial No.

1832

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : As far as co-ordination of exchanges and co-operation with Taiwan is concerned, please provide details on each occasion where Taiwan personalities were received by the government in 2008-09, including the date, the purpose, the officials received and expenditure for each occasion.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Constitutional and Mainland Affairs Bureau coordinates the government's liaison with Taiwan organisations in Hong Kong under the framework of the "One China" policy and "Qian's Seven Principles". In 2008-09, we continued to strengthen our liaison and relations with the Taiwanese business sector, trade associations, fraternity associations and other Taiwan organisations in Hong Kong. In addition, we supported exchanges between Hong Kong and Taiwan with a view to enhancing understanding of the latest development of Hong Kong and the implementation of "One Country, Two Systems" through, among other means, inviting Taiwan personalities from different sectors to visit Hong Kong, and briefing relevant incoming Taiwan visitors.

2. In the last few years, CMAB has enhanced proactively exchanges between Hong Kong and Taiwan. In 2008-09, we allocated about \$1.5 million for such purpose. During the year, we have received prominent political figures, including representatives of the Straits Exchange Foundation; members of the Taiwan legislature, including those from Pan-Blue and Pan-Green camps; and officials at the county and city levels of Taiwan, including delegations led by the Mayors of Taichung city and Kaohsiung city respectively.

3. We have also organised visit programmes for Taiwan professional bodies, businessmen, students and academia. These initiatives have been helpful in enhancing understanding among different sectors in Taiwan on the implementation

of “One Country, Two Systems” concept in Hong Kong. About \$0.25 million were provided for this purpose.

4. We have sponsored local non-governmental organisations for organising six Hong Kong-Taiwan forum and seminars on topics of mutual interests to both places. We have also sponsored the organisation of study tours among students in Hong Kong, the Mainland and Taiwan. Over 500 students participated in the study tours to exchange views, enhance mutual understanding and build up their friendship. About \$1.22 million were provided for this purpose.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB073

Question Serial No.

1833

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With respect to advice given to other bureaux and departments on matters relating to the working relationship with other Mainland authorities and the Government of Macao Special Administrative Region, how many written advice were given in 2008-2009?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Among its responsibilities, the Constitutional and Mainland Affairs Bureau (CMAB) advises other bureaux and departments on matters relating to the working relationship between the HKSAR Government and the Central People's Government, other Mainland authorities and the Government of Macao Special Administrative Region (MSAR Government). We work jointly with the Mainland Offices in assisting other bureaux and departments in taking forward various initiatives involving an interface with the Mainland authorities and the MSAR Government, such as offering advice on matters relating to the establishment of direct communication channels, visits and exchange programmes, promotion of economic and trade relations, regional cooperation and signing of cooperation arrangements, etc. The work, which is discharged through both written and non-written means, forms an integral part of the routine duties of CMAB and the Mainland Offices and cannot be singled out for quantification.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

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INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB074

Question Serial No.

1834

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2008-09, how many meetings had the Basic Law Promotion Steering Committee held? How many programmes had been taken forward? Please list out the name and expenditure of each programme.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Basic Law Promotion Steering Committee (BLPSC) and its working groups, namely local community; teachers and students; civil servants; industrial, commercial and professional sectors; and overseas community, had seven meetings in 2008-09. All activities deliberated by the working groups were implemented by the relevant government bureaux/departments. As such, the expenditure involved were borne by the bureaux/departments concerned.

2. The Government has been promoting the Basic Law through civic education, school education and training for civil servants. Constitutional and Mainland Affairs Bureau (CMAB) is the policy bureau responsible for the promotional efforts, with Home Affairs Bureau, Education Bureau and Civil Service Bureau organising related promotional activities in their respective sectors.

3. The Government as a whole has set aside a provision of some \$20 million for the promotion of Basic Law in 2008-09. CMAB alone has set aside a provision of \$16 million for the purpose. We have organised and sponsored over 20 Basic Law promotional activities using the following three promotional strategies:

- firstly, we used the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, including the historical background and the drafting of the Basic Law, as well as the constitutional set up of the “One Country, Two Systems”. Some \$6.6 million were provided for the production of TV

drama, TV documentary, Announcement of Public Interest, game show and radio quiz show;

- secondly, we enhanced public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels, such as roving shows and carnivals. About \$5.1 million were provided for the purpose; and
- thirdly, we have strengthened the co-operation with community organisations in organising promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks. We have offered about \$3.3 million sponsorship.

Signature

Name in block letters

JOSHUA LAW

Post Title

Permanent Secretary for

Constitutional and Mainland Affairs

Date

19 March 2009

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Reply Serial No.

CMAB075

Question Serial No.

1835

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What is the estimated expenditure of the Basic Law Promotion Steering Committee for 2009-2010?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Over the years, the Government has been promoting the Basic Law through civic education, school education and training for civil servants. Constitutional and Mainland Affairs Bureau (CMAB) is the policy bureau responsible for the promotional efforts, with Home Affairs Bureau, Education Bureau and Civil Service Bureau organising related promotional activities in their respective sectors.

2. To provide a steer on the overall programme and strategy for promoting the Basic Law both locally and overseas, the Government established in January 1998 the Basic Law Promotion Steering Committee (BLPSC). There are five working groups under the BLPSC. Each working group focuses on promotional work of different target groups, namely local community; teachers and students; civil servants; industrial, commercial and professional sectors; and overseas community.

3. Relevant bureaux and the BLPSC working groups will continue to carry out a variety of Basic Law promotional activities in 2009-10. The Government as a whole will earmark some \$20 million for the purpose, among which CMAB will earmark \$16 million.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB076

Question Serial No.

1836

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Under Matters Requiring Special Attention in 2009-10, it is mentioned that the Bureau will continue to enhance the working relationships with the Hong Kong and Macao Affairs Office and the Office of the Commissioner of the Ministry of Foreign Affairs in the Hong Kong Special Administrative Region. With respect to "continue to enhance", what is the Administration referring to? In which areas of work will this be specifically manifested?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Over the years, we have developed a good working relationship with the Hong Kong and Macao Affairs Office of the State Council and the Office of the Commissioner of the Ministry of Foreign Affairs. Close contacts and communication are made on matters of mutual concern, such as official exchanges and visits between Hong Kong and the Mainland, new Mainland policies affecting Hong Kong investors in the Mainland, Hong Kong's participation in external affairs, regional and international cooperation initiatives, as well as affording consular protection to Hong Kong residents in distress overseas.

2. In 2009-10, large number of specific initiatives on enhancing cooperation with the Mainland will be conducted. These include for example the work of the Hong Kong Special Administrative Region (HKSAR) in support of reconstruction in the Sichuan earthquake stricken areas, HKSAR's participation in the Shanghai Expo 2010 and HKSAR's preparatory work to complement the National Twelfth Five-year Plan. Examples of specific initiatives on HKSAR's participation in external affairs and international cooperation include the continued participation of HKSAR government officials as part of the Chinese delegation in the G-20 Leaders' Summit on Financial Markets and the World Economy, the submission of reports on the implementation of various international human rights treaties in Hong Kong, and the hosting of major international conferences in Hong Kong.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB077

Question Serial No.

1920

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : With respect to Hong Kong's participation in matters relating to the United Nations Human Rights Council Universal Periodic Review in 2008-2009, what is the expenditure incurred? Please list out separately the expenditure on publication, consultation and for attending related hearings.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The United Nations (UN) Human Rights Council conducts a Universal Periodic Review (UPR) on the human rights situation of all member states of the UN. The HKSAR report was submitted to the UN as part of China's report in November 2008.

2. For attending the hearing of UPR held from 9 to 11 February 2009, expenditure of about \$200,000 was incurred under the Constitutional and Mainland Affairs Bureau (CMAB), which covers participation by three representatives from CMAB, and one representative from the Department of Justice. The expenses of the other two officers from the Security Bureau and the Labour Department were funded by the respective bureau/department. The printing cost of the report was \$9,000. Other costs involved, including consultation and drafting of the report, were absorbed in CMAB's existing resources.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB078

Question Serial No.

1921

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

- Question : (a) It is noted that the Constitutional and Mainland Affairs Bureau will "continue to oversee compliance with the reporting requirements under five human rights treaties which apply the HKSAR" and "continue to co-ordinate attendance of the Government of the HKSAR delegations at meetings of the United Nations human rights treaty monitoring bodies as and when required". What is the estimated expenditure for these two areas of work? Has provisions been earmarked for conducting public consultations? Please provide a breakdown of expenditure.
- (b) With respect to the 7 United Nations human rights treaties apply to the Hong Kong Special Administrative Region (International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on Elimination of All Forms of Discrimination against Women, Convention on the Rights of the Child and Convention on the Rights of Persons with Disabilities), why does the Constitutional and Mainland Affairs Bureau only oversee the submission of reports under 5 human rights treaties?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Efforts in overseeing compliance with the reporting requirements under relevant United Nations human rights treaties (including the drafting and consultation of the reports) and co-ordinating attendance at meetings of the corresponding treaty monitoring bodies are an integral part of the work of the Constitutional and Mainland Affairs Bureau (CMAB). We do not have a separate breakdown of the related expenses.

2. Of the seven United Nations human rights treaties that are applied to Hong Kong and entail a reporting requirement, CMAB is responsible for coordinating the reporting requirements of five of them, namely the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The remaining two treaties, namely the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on Rights of Persons with Disabilities, concern policy areas coordinated by the Labour and Welfare Bureau (LWB), and LWB is responsible for overseeing the corresponding reporting requirements.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB079

Question Serial No.

1963

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : It is noted that the Constitutional and Mainland Affairs Bureau is encouraging Hong Kong invested factories in the Pearl River Delta region to restructure, upgrade and relocate to Pan-Pearl River Delta provinces. In this connection, please list out the specific work done last year and the work plan for 2009.

Asked by : Hon. IP Kwok-him

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for the overall coordination of the Government's participation in the Pan-Pearl River Delta (PPRD) regional cooperation, including efforts to encourage Hong Kong invested factories to restructure, upgrade and relocate to PPRD provinces.

2. In 2008-09, the Hong Kong Economic and Trade Offices in the Mainland have rendered support to the Commerce and Economic Development Bureau in maintaining close liaison with the trade and Mainland authorities at various levels to assist the trade to meet the changes in Mainland's processing trade policy. Specific work in this regard includes:

- reflecting the trade's views and making recommendations to the Mainland authorities especially before the promulgation of new policies and legislation wherever such is possible;
- through the Task Force to Support the Processing Trade, exploring with the trade measures to cope with the relevant adjustments;
- cooperating with the Guangdong Province, through the Hong Kong/Guangdong Expert Group on the Restructuring and Upgrading of the Processing Trade, to assist Hong Kong enterprises to restructure and/or upgrade;

- organising symposiums and seminars to enhance the understanding of the trade on new policies and legislation;
- organising trade delegations to visit the Mainland with a view to encouraging Hong Kong enterprises to relocate their operations and to explore new markets;
- through the “SME Funding Schemes”, assisting SMEs to acquire equipment to upgrade their operational and technical skills, and to restructure or relocate. Hong Kong enterprises may also apply for the “Innovation and Technology Fund” to improve their technological level, and to introduce more innovative concepts to their businesses; and
- through co-organising the “Transformation, Upgrade and Relocation to Unveil a New Horizon for Processing Trade Industry” Programme with the Hong Kong Productivity Council and joining forces with other industry support bodies such as the Hong Kong Trade Development Council, assisting Hong Kong enterprises to upgrade their technical level, restructure into foreign-invested enterprises, and develop new markets, etc.

We have also launched an electronic platform for exchanging and sharing of information amongst the PPRD provinces/regions.

3. In 2009, CMAB will continue our efforts in coordinating the efforts from the relevant bureaux and departments in taking forward cooperation initiatives with PPRD.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB080

Question Serial No.

2120

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Administration explains that the increase in provision for 2009-2010 is due to the setting up and meeting the operating expenses of 4 regional support service centres for ethnic minorities. In this connection, would the Administration advise on:

- a. the respective start-up cost of each support service centre. Please list out the main cost items and the percentage of such items accounts for in the start-up cost;
- b. the operating cost and staffing establishment of each support service centre; and
- c. whether the support service centres will promote its services to the ethnic minority. If yes what measures will be taken? What is the expenditure involved?

Asked by : Hon. PAN Pey-chyou

Reply :

The four regional support service centres for ethnic minorities are expected to commence their services in 2009-10. Of the \$8 million one-off provision earmarked for the setting up of the centres, up to \$3.5 million is reserved for the centre providing telephone interpretation service and other support services, and up to \$1.5 million is reserved for each of the other three centres. The one-off provision would cover items such as fitting out of the premises, purchase of office equipment, installation of facilities required for the provision of services and manpower for pre-service training and preparation. Of the \$8 million, we have included a provision of \$3 million in the 2008-09 revised estimate as part of the setting up cost and about \$5 million in the 2009-10 estimate as the remaining part of the setting up cost.

2. We have included in the 2009-10 estimate a provision of \$16 million for funding the annual recurrent expenditure of the four centres including staff costs, rental of premises, operational expenses for organising activities and other

administrative expenditure. Of this amount, up to \$7 million is earmarked for the operating expense of the centre providing telephone interpretation service, and up to \$3 million is earmarked for each of the other three centres.

3. The centres will take measures to promote their services to ethnic minorities. The cost involved will form part of the recurrent costs for the operation of the centres.

4. We are in the process of selecting the most suitable applicants to run the centres. The actual setting up and operation expenses, and the staffing, promotion and publicity arrangements, will be dependent on the proposals of the organisations chosen to operate the centres.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB081

Question Serial No.

2175

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development
Secretary for Security

Question : With regard to the 4 Mainland Offices set up by the HKSAR Government, what are the actual expenditure for 2007-2008, the revised estimate for 2008-2009 and the estimate for 2009-2010 of each office respectively?

Asked by : Hon. HO Chun-yan, Albert

Reply :

Regarding the four Mainland Offices, the actual expenditure for 2007-08, the revised estimate for 2008-09 and the estimate for 2009-10 are as follows:

Mainland Office	2007-08 Actual Expenditure (\$ million)	2008-09 Revised Estimate (\$ million)	2009-10 Estimate (\$ million)
Beijing Office	52.9	47.0	47.3
Guangdong ETO	30.0	32.6	33.0
Shanghai ETO	20.4	20.7	23.3
Chengdu ETO	15.4	15.4	17.4
Total :	118.7	115.7	121.0

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB082

Question Serial No.

2257

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office
(2) Constitutional and Mainland Affairs
(3) Mainland Offices
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please advise, in 2007-2008 to 2009-2010, -

- a) the amount of resources spent/earmarked by the Administration on exchanges, social functions and meetings with the Mainland officials and departments; and
- b) the amount of resources spent/earmarked by the Administration on exchanges, social functions and meetings with foreign officials and departments.

Asked by : Hon. HO Sau-lan, Cyd

Reply :

The requested figures are as follow -

- (a) In 2007-08, around \$3.80 million was paid for exchanges, social functions and meetings with the Mainland officials and departments. In 2008-09, the estimated expenditure is around \$3.43 million. For 2009-10, an estimate of \$5.22 million is provided for this purpose.
- (b) In 2007-08, around \$0.02 million was paid for exchanges, social functions and meetings with foreign officials and departments. In 2008-09, the estimated expenditure is around \$0.01 million. For 2009-10, an estimate of \$0.02 million is provided for this purpose.

2. On (a) above, the increased provision for 2009-10 is mainly due to the following -

- (a) the Pan-Pearl River Delta Cooperation Forum was not held in 2008, but would be held in 2009;
- (b) we would be hosting the Hong Kong/Guangdong Cooperation Joint Conference in Hong Kong in 2009; and
- (c) increased provision for enhancing exchanges with Taiwan as well as liaison and communication with the Mainland.

3. As one of the principal functions of our Mainland Offices is liaison with Mainland officials and departments, the work is an integral part of the responsibilities of the Offices and there is no separate breakdown on the resources involved.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB083

Question Serial No.

2259

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office
(2) Constitutional and Mainland Affairs
(3) Mainland Offices
(4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question: Regarding the studies conducted by consultants commissioned by the Bureau for the purposes of formulating and assessing policies (if any), please provide the relevant information in the following format:

- (1) For the public policy research projects and strategic public policy research projects funded in the past three years, i.e. 2006-2007 to 2008-09, please provide information in the following format:

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?

- (2) Is there any project that will reserve funds for conducting consultancy study in 2009-2010? If yes, please provide the following information:

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	Will the studies be released to the public if they are expected to be completed in this financial year? If yes, through which channels? If no, what are the reasons?

Asked by : Hon. HO Sau-lan, Cyd

Reply :

Regarding the studies conducted by consultants commissioned by the Constitutional and Mainland Affairs Bureau for the purposes of formulating and assessing policies, the relevant information is provided below :

(1) For the public policy research projects and strategic public policy research projects funded in the past three years, i.e. 2006-07 to 2008-09 :

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
China Concept Consulting Ltd.	National Five-Year Plans and interface with HKSAR's development	HKD 780,000 (Paid in 2007-08)	Completed	Findings of the report have been referred to relevant bureaux and departments for more detailed study.	For internal reference by relevant Government bureaux and departments only.

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
Southern University of Finance and Economics	Closer Economic Partnership Arrangement (CEPA) Implementation in Sichuan	RMB 135,000 (Paid in 2007-08)	Completed	Chengdu Economic and Trade Office (ETO) and the Department of Commerce in Sichuan have formed a working group to promote CEPA in the province.	The summary of the findings was released through a joint press conference by Chengdu ETO and the Department of Commerce in Sichuan in September 2007. The press handout is also available at Chengdu ETO's website. The full report was distributed to the relevant Government departments in the Mainland and Hong Kong.

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
Culture & Creativity Clusters Ltd	Study on Hong Kong's participation in the development of creative industry parks in the Yangtze River Delta Region, with particular emphasis on Shanghai	HKD 200,000 (\$140,000 paid in 2006-07, \$60,000 paid in 2007-08)	Completed	<p>Shanghai ETO worked with the Commerce and Economic Development Bureau (CEDB) to organise HKSAR's participation in the "2007 International Creative Industry Week" held in Shanghai in November 2007.</p> <p>CEDB sponsored the Hong Kong Design Centre to set up an exhibition booth at the 2008 International Creative Industry Exhibition Shanghai China in October 2008 to promote Hong Kong's design sector.</p>	For internal reference by relevant Government bureaux and departments only.

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
Culture & Creativity Clusters Ltd	Study on Hong Kong's participation in the animation, comics and digital games industries in the Yangtze River Delta Region	HKD 200,000 (\$140,000 paid in 2006-07, \$60,000 paid in 2007-08)	Completed	The Administration will set up a dedicated office "Create Hong Kong" to coordinate the development of a creative economy. Continuous efforts will be made to facilitate the relevant industries' exploration of the Mainland market.	For internal reference by relevant Government bureaux and departments only.

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
Shanghai Research Institute of International Economy and Trade	Joint research commissioned with the Shanghai Foreign Economic Relations and Trade Commission, and the Economic Committee of Shanghai Pudong New Area to study the economic complementarity between Hong Kong and Shanghai and possible areas of mutual cooperation, with particular reference to CEPA	RMB 40,000 (The total cost was RMB 120,000, shared equally among the three parties) (Paid in 2007-08)	Completed	The consultancy report was passed to relevant Government bureaux and agencies for consideration.	For internal reference by relevant Government bureaux and departments only.

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	The follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been released to the public? If yes, through which channels? If no, what are the reasons?
Hunan Academy of Social Sciences (湖南省社會科學院)	Closer Economic Partnership Arrangement (CEPA) Implementation in Hunan	RMB 198,000 (Paid in 2008-09)	Completed	Chengdu ETO will organize a seminar to promote the CEPA benefits to HK businessmen.	The summary of the findings will be released through a joint press conference by Chengdu ETO and the Department of Commerce in Hunan (湖南省商務廳). The press handout will also be available at Chengdu ETO's website. The full report will be distributed to the relevant Government departments in the Mainland and Hong Kong.

(2) With regard to the projects for which funds have been reserved for conducting consultancy studies in 2009-10 :

Name of Consultant (if any)	Content and Purpose	Consultant Fee (\$)	Progress of Studies (under planning / in progress / completed)	Will the studies be released to the public if they are expected to be completed in this financial year? If yes, through which channels? If no, what are the reasons?
Institute of Hong Kong, Macao & SEZS Economy, Jinan University (暨南大學特區港澳經濟研究所)	To explore the development trend of Hong Kong's service industries in Guangdong and to select individual sectors of service industry which can be further promoted in Guangdong	RMB 120,000	Guangdong ETO is now working with the university on a final proposal.	N/A
To be engaged	Business Potential of Sichuan for Hong Kong Logistics Companies	RMB 600,000	Under planning	N/A

All the studies in parts (1) and (2) above are under Programme (3) Mainland Offices.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB084

Question Serial No.

2273

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The number of complaints expected to be received and handled under the Race Discrimination Ordinance are both 100, which are lesser than those under the Sex Discrimination Ordinance and the Disability Discrimination Ordinance. What are the bases on which the estimated numbers are arrived at? Please list out the respective number and ranks of investigators responsible for receiving and handling complaints under different discrimination ordinances. Has the Equal Opportunities Commission earmarked additional resources for dealing with the Race Discrimination Ordinance and handling matters on different languages?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The estimation on the number of complaints received and handled under the Race Discrimination Ordinance (RDO) by the Equal Opportunities Commission (EOC) has been made taking into account –

- (a) the experience of the Race Relations Unit of the Constitutional and Mainland Affairs Bureau in handling similar enquiries and complaints;
- (b) EOC's operational experience that the number of discrimination complaints tends to rise gradually with the increase of the general awareness among the public on the legislation;
- (c) that complaints are expected to come mainly from members of ethnic minorities, who constitute around 5% of the total population; and
- (d) that RDO is expected to come into full operation around mid-2009, and the figures therefore represent part-year estimates.

2. The Operations Division of the EOC is responsible for receiving and handling complaints and conducting investigations relevant to all the discrimination ordinances in operation. There is no separate breakdown in respect of individual discrimination ordinances.

3. An amount of \$1.05 million has been included in the 2009-10 estimate for the EOC to launch educational and publicity projects on racial equality on a recurrent basis. According to our plans, the RDO will commence full operation around mid-2009, following the adoption of the Code of Practice on Employment and enactment of the relevant subsidiary legislation. Our intention is to review together with the EOC their requirement for additional resources to implement the RDO from that point onward. We have set aside an amount of around \$4 million to facilitate the enforcement of the RDO. However, the funding allocation to EOC is subject to the review over the next few months.

4. Resources required for handling matters including translation or interpretation in different ethnic minority languages will continue to be absorbed in the operational expenses of the EOC in 2009-10. No separate breakdown on resources devoted for such purpose is available.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>19 March 2009</u>

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB085

Question Serial No.

2280

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In 2009-2010, will the Constitutional and Mainland Affairs Bureau consult electors in the respective sectors of the existing functional constituencies on the method for forming the Legislative Council in 2012? If yes, what are the specific plans and financial resources earmarked? If no, what are the reasons?

Asked by : Hon. NG Margaret

Reply :

We will, in the fourth quarter of 2009, embark on a public consultation exercise to gauge views of the public and different sectors of the community on the electoral arrangements for 2012. While details of the public consultation exercise are being worked out, we expect that meetings will be arranged with organisations and associations of different industries and sectors to solicit their views on the issue.

2. For the public consultation exercise as a whole, one directorate officer at D2 level, one Senior Administrative Officer and one Administrative Officer are responsible for handling tasks relating to the public consultation exercise. These posts are part of our current establishment and the officers will undertake the public consultation exercise in addition to other duties. Furthermore, four posts comprising one Senior Executive Officer, one Executive Officer II and two Assistant Clerical Officers will be created and will assist in handling the relevant tasks starting July 2009. We will also create one Personal Secretary II post in 2009-10 to provide assistance. For budget planning purpose, we have set aside about \$5 million in 2009-10 for consulting the public on the two electoral methods for 2012.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB086

Question Serial No.

2281

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In view of the spate of incidents involving leakage of personal data of members of the public by the Government in 2008-09, will the Office of the Privacy Commissioner for Personal Data increase or earmark extra resources in 2009-2010 for conducting a comprehensive review on the existing arrangements for handling personal data by Government departments and making suggestions on improvement measures? If yes, what is the specific work plan and the resources involved? If no, what are the reasons?

Asked by : Hon. NG Margaret

Reply :

In view of the public concern over personal data leakage incidents and expectations for the Office of the Privacy Commissioner for Personal Data (PCPD) to more rigorously enforce the Personal Data (Privacy) Ordinance (PDPO), we have proposed to include in the 2009-10 estimates for the PCPD an allocation of \$5 million on a recurrent basis for the creation of four posts to strengthen the PCPD's enforcement team and one professional post on information technology. With the increased resources, the PCPD will be able to step up proactive enforcement of the PDPO by conducting compliance checks, investigations, or inspections on the personal data systems of data users. Such checks, investigations and inspections will cover Government bureaux and departments (B/Ds) as appropriate.

2. The Government is firmly committed to the protection of personal data privacy. Each B/D has its own Data Controlling Officer who is responsible for assessing, authorising, monitoring and reviewing its own personal data protection measures. B/Ds have been reminded to observe the requirements of the PDPO and take all practicable steps to ensure that personal data held by them are protected against unauthorised or accidental access, processing, erasure or other use. In addition, we co-organised three seminars with the PCPD in 2008 to further enhance

awareness and understanding of the provisions of the PDPO within the Government.

3. Under the steer of the Office of the Government Chief Information Officer and the Security Bureau, an Information Security Enhancement Programme was launched to better protect personal and classified data and to ensure that B/Ds would comply with the security provisions of the PDPO. Thus far, a number of improvements measures have been adopted by B/Ds. These include organising activities to promote staff awareness on information security, tightening the control of work-at-home and the use of portable storage devices, enhancement of information technology facilities or resources to further enhance security on protection of data, and review of information security related regulations, policies and guidelines.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>19 March 2009</u>

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB087

Question Serial No.

1130

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Has the government set aside provision for the implementation of prisoners' voting rights? If yes, what is the amount of provision? If no, what are the reasons?

Asked by : Hon. LEUNG Kwok-hung

Reply :

We are consulting the public on the policy options on the relaxation of the restrictions on prisoners' right to vote, and on the practical arrangements for prisoners and remanded unconvicted persons to exercise their voting right. It is estimated that the consultation exercise would cost around \$500,000.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 17 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB088

Question Serial No.

1147

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : One of the responsibilities of the Constitutional and Mainland Affairs Bureau is to encourage Hong Kong invested factories to restructure, upgrade and relocated to Pan-Pearl River Delta provinces. In this connection, would the government advise on the following:

- (a) Revised financial provision for the Bureau for 2008-09 is \$73 million. Of this provision, how much has been spent on encouraging Hong Kong invested factories to restructure and what are the measures taken?
- (b) In paragraph 34 of the Financial Secretary's budget speech, it is mentioned that "we will seek to identify economic opportunities in keeping with the Greater PRD region's effort to upgrade its industries". In this connection, would the government advise on the specific initiatives for taking forward this aspect of work and the estimated expenditure.

Asked by : Dr Hon. LAM Tai-fai

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for the overall coordination of the Government's participation in the Pan-Pearl River Delta (PPRD) regional cooperation, including efforts to encourage Hong Kong invested factories to restructure, upgrade and relocate to PPRD provinces.

2. In 2008-09, the Hong Kong Economic and Trade Offices in the Mainland have rendered support to the Commerce and Economic Development Bureau in maintaining close liaison with the trade and Mainland authorities at various levels to assist the trade to meet the changes in Mainland's processing trade policy. Specific work in this regard includes:

- reflecting the trade's views and making recommendations to the Mainland authorities especially before the promulgation of new policies and legislation wherever such is possible;
- through the Task Force to Support the Processing Trade, exploring with the trade measures to cope with the relevant adjustments;
- cooperating with the Guangdong Province, through the Hong Kong/Guangdong Expert Group on the Restructuring and Upgrading of the Processing Trade, to assist Hong Kong enterprises to restructure and/or upgrade;
- organising symposiums and seminars to enhance the understanding of the trade on new policies and legislation;
- organising trade delegations to visit the Mainland with a view to encouraging Hong Kong enterprises to relocate their operations and to explore new markets;
- through the "SME Funding Schemes", assisting SMEs to acquire equipment to upgrade their operational and technical skills, and to restructure or relocate. Hong Kong enterprises may also apply for the "Innovation and Technology Fund" to improve their technological level, and to introduce more innovative concepts to their businesses; and
- through co-organising the "Transformation, Upgrade and Relocation to Unveil a New Horizon for Processing Trade Industry" Programme with the Hong Kong Productivity Council and joining forces with other industry support bodies such as the Hong Kong Trade Development Council, assisting Hong Kong enterprises to upgrade their technical level, restructure into foreign-invested enterprises, and develop new markets, etc.

We have also launched an electronic platform for exchanging and sharing of information amongst the PPRD provinces/regions.

3. The above efforts will continue in 2009-10. The expenditure and estimate involved on the part of CMAB cannot be singled out and are absorbed within the provisions of CMAB under Programmes (2) and (3).

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB089

Question Serial No.

1148

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question : According to the Constitutional and Mainland Bureau, the Mainland Offices will strengthen economic and trade liaison with and enhance the investment promotion function in the Mainland in 2009-2010. In this connection, would the government advise on the specific measures to be taken and the expenditure involved?

Asked by : Hon. LAM Tai-fai

Reply :

The Mainland Offices adopt a multi-pronged approach in representing and promoting Hong Kong's trade and commercial interests in the Mainland by organising trade missions, seminars and exhibitions for Hong Kong investors, as well as collecting and disseminating information on business information in the Mainland (including those relating to new laws and policies) to facilitate Hong Kong investors to understand the local business environment and establish their network in the Mainland. They also proactively approach Hong Kong investors and follow up issues of common concerns through appropriate channels. For example, in 2008, the Mainland Offices organised trade missions to Zhejiang, Yunnan and to the northern provinces of Heilongjiang, Jilin and Liaoning etc. to enhance mutual understanding on latest developments as well as on business opportunities. Seminars and forums were also organised on areas of interest to Hong Kong investors, including CEPA, processing trade and related policies, Mainland taxation, impact of financial tsunami to Hong Kong enterprises in the Mainland etc. Taking the opportunity of the Beijing 2008 Olympic Games, particularly our role as host to the Olympic and Paralympic Equestrian Events, exhibitions were held in 23 major trade fairs/expos/events in various Mainland cities.

2. Another major role of the Mainland Offices is to promote inward investment into Hong Kong. The Investment Promotion Divisions of the Mainland

Offices, working with Invest Hong Kong, identify potential Mainland companies in the areas that they cover; proactively approach and visit the companies identified to encourage them to invest in Hong Kong; provide free one-stop information and consultation services; and organise incoming visits and help identify and match Mainland potential investors with business partners in Hong Kong. In 2008, the Mainland Offices have facilitated visits by government officials to promote investment in Mainland cities and organised study missions for Mainland officials and enterprises to visit Hong Kong, as well as organised seminars to promote the advantages of investing in Hong Kong.

3. The Mainland Offices will continue to spare no efforts in further promoting Hong Kong's economic and trade interests in the Mainland and promoting investment in Hong Kong through the existing approach. Since the Mainland Offices cover a range of functions including liaison, public relations, economic and trade as well as investment promotion matters by adopting an integrated approach, it is not possible to quantify precisely the amount of resources and manpower to be allocated to each function. The provision earmarked for liaison, economic and trade, and investment promotion affairs under programme (3) for 2009-10 is about \$100 million.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB090

Question Serial No.

2507

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) : 000 Operational
Expenses

Programme : (4) Rights of the Individual; and
(5) Subvention: Equal Opportunities Commission and the Office of
the Privacy Commissioner for Personal Data.

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What is the estimated expenditure on activities for promoting equal opportunities and human rights in 2009 and 2010? Please provide details of the activities and the expenditure involved.

Asked by : Hon. WONG Kwok-kin

Reply :

The Government has been taking measures to promote equal opportunities and the rights of individuals through various means and channels, including education at schools, community activities, collaboration with non-government organisations and publicity activities. In 2008-09, relevant bureaux and departments as well as the Equal Opportunities Commission (EOC) have devoted resources on public education and publicity activities. Such efforts will continue in 2009-10.

2. The measures taken by the Constitutional and Mainland Affairs Bureau (CMAB) include promotion and public education on children's rights, racial equality and harmony, and equal opportunities for people of different sexual orientation and transgendered persons, and sponsorship to non-government organisations to organise relevant activities. In 2008-09, the revised estimate of expenditure incurred by the CMAB on these programmes is \$12.37 million. In 2009-10, the estimated expenditure to be incurred by the CMAB on these programmes is estimated to be \$11.32 million. This figure has reflected the transfer of \$1.05 million in 2009-10 from the provision of the CMAB to the provision of the EOC for launching educational and publicity projects on racial equality as the EOC will take up this work following the implementation of the Race Discrimination Ordinance (RDO).

3. Further additional funding of around \$4 million has been set aside in 2009-10 to facilitate the enforcement of the RDO by the EOC upon the full implementation of the RDO, subject to further review with the EOC. The overall expenditure on measures to promote equal opportunities and human rights will increase in 2009-10.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB091

Question Serial No.

2508

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) : 000 Operational
Expenses

Programme : (4) Rights of the Individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What plans does the Administration have to promote equal opportunities and human rights in 2010? What are the staffing and expenditure involved?

Asked by : Hon. WONG Kwok-kin

Reply :

The Government has been taking measures to promote equal opportunities and the rights of individuals through various means and channels, including education at schools, community activities, collaboration with non-government organisations and publicity activities. In 2009-10, relevant bureaux and departments as well as the Equal Opportunities Commission will continue to devote resources on public education and publicity activities.

2. In 2009-10, the expenditure to be incurred by the Constitutional and Mainland Affairs Bureau on promoting the rights of individuals is estimated to be \$11.32 million. This includes promotion and public education on children's rights, racial equality and harmony, and equal opportunities for people of different sexual orientation and transgendered persons, and sponsorship to non-government organisations for relevant activities.

3. The above efforts are an integral part of the duties of CMAB. No separate breakdown of staffing resources involved is available.

Signature

Name in block letters

JOSHUA LAW

Post Title

Permanent Secretary for
Constitutional and Mainland Affairs

Date

19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB092

Question Serial No.

1160

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In respect of this Programme, would the Administration advise on the following:

- (a) the respective financial provisions for the positions of the Secretary, the Under Secretary and the Political Assistant in the revised estimates for 2008-09 and the estimates for 2009-10;
- (b) the specific work of the Under Secretary in 2008-09 and his achievements. How to assess whether the creation of the post meets the principle of value for money?

Asked by : Hon. LEUNG Yiu-chung

Reply :

The provisions earmarked for the salary provision for the Secretary, the Under Secretary and the Political Assistant in the 2008-09 Revised Estimates and the 2009-10 Estimates under Head 144 are as follows :

	2008-09 FY Revised Estimates (\$ million)	2009-10 FY Estimates (\$ million)
Secretary for Constitutional and Mainland Affairs	3.58	3.58
Under Secretary for Constitutional and Mainland Affairs	2.09	2.50
Political Assistant to Secretary for Constitutional and Mainland Affairs	0	1.97

2. The Under Secretary for Constitutional and Mainland Affairs is responsible principally for assisting the Secretary in undertaking the full range of political work, including the handling of Legislative Council (LegCo) business, and deputising for the Secretary during the latter's temporary absence. For instance, with effect from the 2008-09 legislation session, the Secretary for Constitutional and Mainland Affairs or the Under Secretary for Constitutional and Mainland Affairs would normally attend regular meetings of the LegCo panel on Constitutional Affairs. These are important forums for the Government to explain its policies and to secure support for its initiatives. As part of his role in reaching out to the community, the Under Secretary for Constitutional and Mainland Affairs chaired a number of district forums on the 2008-09 Policy Address.

3. The appointment of the Under Secretary for Constitutional and Mainland Affairs has strengthened the support to the Secretary in undertaking political work, communicating with the LegCo and other stakeholders, such as District Councils, political parties/ groups, non-government organisations, district personalities as well as business, professional and other bodies, and explaining Government policies to the media and the public at large.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB093

Question Serial No.

1191

Head : 144 GS: Constitutional and Subhead (No. & title) :
Mainland Affairs Bureau

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : After the Sichuan earthquake in May 2008, the Constitutional and Mainland Affairs Bureau (CMAB) is given the responsibility to coordinate cross-bureau work and to liaise with the relevant departments in Sichuan on the support for post-quake reconstruction. On the Sichuan reconstruction work, the Legislative Council has approved a total funding of HK\$6 billion. The Hong Kong people are very keen to ensure that the relief funds will not end up in the pockets of the corrupt officials, i.e. graft in the use of public moneys at the expense of the people, so that the victims may not get the assistance they need.

Has the CMAB ever propose, on behalf of the Hong Kong side, any corruption mechanism to minimise the chances of having the relief funds being taken by corrupt officials in part or in whole? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Yuk-man

Reply :

The HKSAR Government and the Sichuan Provincial Government both share the common objective of ensuring proper, effective and accountable use of HKSAR's reconstruction support fund. In the "HKSAR Cooperation Arrangement on Support of Restoration and Reconstruction in the Sichuan Earthquake Stricken Areas" signed by the HKSAR and Sichuan Governments on 11 October 2008, the two sides agreed on a number of important principles concerning management, monitoring and auditing of HKSAR's reconstruction projects, including :

- (a) HKSAR's reconstruction support work will be implemented on a project by project basis, with well-defined project scope, technical standards, works

milestones, beneficiaries, and ceiling of HKSAR Government's financial commitment. Funds will be transferred from the Trust Fund in Support of Reconstruction in the Sichuan Earthquake Areas to the Sichuan side in instalments on the basis of the actual progress of the projects.

- (b) The technical standards for the works projects funded by the HKSAR should comply with the laws and regulation in the Mainland, with appropriate monitoring mechanism. Tendering of these projects should be conducted in accordance with the relevant Mainland laws, rules and regulations, and the level of qualification of contracting enterprises may be set at a higher level as appropriate.
- (c) The Sichuan and Hong Kong sides will jointly examine the actual progress of the projects, organise regular or irregular project inspection activities, and verify the completion of project milestones. In line with the "Government-led, full community involvement" principle, relevant volunteer professionals may also be invited to participate in the monitoring work.
- (d) The Sichuan side will also submit regular reports and related documents, including reports by an independent certification body, project programme/photos/plans, notes of meetings and records of tests as proof.

2. The Central Government accords great importance to the monitoring of reconstruction projects, and have promulgated a series of related laws, rules and regulations for monitoring purpose. To ensure the proper and accountable use of funds, we have invited the Independent Commission Against Corruption (ICAC) to study the project management and funding arrangements. The ICAC is in overall terms satisfied with the arrangements. It has also suggested additional measures such as the organisation of seminars to share with Sichuan officials our experience in project management and tendering. We agree with the suggestion and are following up with the Sichuan side. For instance, we arranged this month a study mission of Sichuan local officials from municipalities/counties where the HKSAR has undertaken reconstruction projects. During the study mission, sessions were organised for the ICAC, the Audit Commission, the Development Bureau and other relevant parties to brief them on Hong Kong's practice of project and financial management.

3. To further strengthen the project supervision framework, the Development Bureau will commission independent professional consultants with extensive experience in monitoring and checking Mainland works projects to assist in carrying out site inspections. The consultants will conduct on-site checking of the progress of works, quality and use of funds at important stages, such as construction of foundation and structures as well as the completion of project milestones, as well as vetting of documents on quality management provided by the Sichuan side.

4. We will continue to maintain close contacts with the Sichuan side to ensure proper and effective implementation of HKSAR's reconstruction support projects.

Signature	_____
Name in block letters	<u>JOSHUA LAW</u>
Post Title	<u>Permanent Secretary for Constitutional and Mainland Affairs</u>
Date	<u>19 March 2009</u>

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB094

Question Serial No.

1192

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : On 23 February 2009, the Secretary for Constitutional and Mainland Affairs, Mr Stephen Lam, visited Sai Kung District during which he: (1) visited a secondary school to learn about how the school promoted national and civil education; (2) visited an ethnic minority family; (3) visited an integrated youth services centre operating under the Sai Kung Rural Committee; and (4) attended a tea reception held by the Chairman and Vice-chairman of the Sai Kung District Council.

For the above activities, what is the expenditure involved? With the exception of activities (2), how did activities 1, 3 and 4 performed by Mr Lam in his capacity as Secretary for Constitutional and Mainland Affairs related to his duties?

Asked by : Hon. WONG Yuk-man

Reply :

The visit to the Sai Kung District by the Secretary for Constitutional and Mainland Affairs (SCMA) on 23 February 2009 is part of the district visit programme of the Principal Officials. The aim of the programme is to provide more opportunities for the Principal Officials to meet with local residents, district personalities, District Council members and to listen to their views on district issues. Principal Officials may also make use of these occasions to communicate with district personalities and District Council members on the major initiatives under their respective policy portfolios.

2. The expenditure involved in SCMA's visit to Sai Kung is minimal. We should also clarify that the tea reception was attended not only by the Chairman and Vice-Chairman, but also members of the Sai Kung District Council.

2. Regarding the specific activities in the concerned district visit, when visiting the secondary school, SCMA took the opportunity to better understand the work relating to the promotion of Basic Law and national education in secondary schools. Also, during his visit to the youth services centre, SCMA listened to the views of young people on issues of their concern, including opportunities for development both in Hong Kong and the Mainland. As for SCMA's meeting with Sai Kung District Council members, it should be noted that it is the responsibility of Principal Officials to meet with District Council members regularly to listen to their views on both policy and district issues. At the meeting, Sai Kung District Council members expressed to SCMA their views on constitutional development and district affairs.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB095

Question Serial No.

1193

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Provision for 2009-10 is \$2.5 million (31.3%) higher than the revised estimate for 2008-09 and provision has been set aside for filling the position of Political Assistant. Given the existing workload and performance of the Constitutional and Mainland Affairs Bureau, how can the public be convinced of the need for the appointment of a Political Assistant?

Asked by : Hon. WONG Yuk-man

Reply :

The Constitutional and Mainland Affairs Bureau is responsible for a number of policy portfolios, including constitutional development and policy on electoral affairs, coordination of the HKSAR's relations with the Mainland (including overseeing the operation of the HKSAR's offices in the Mainland), and matters relating to human rights and access to information. The Bureau has been working on these areas in a steadfast manner, and has been making progress. In 2009-10, the Bureau will take on a number of important tasks, including coordinating efforts in support of Sichuan reconstruction, coordinating the preparatory work for Hong Kong's participation in the Shanghai Expo 2010, conducting public consultation on prisoners' rights to vote and enacting necessary legislation, enhancing exchanges and cooperation with Taiwan, and conducting public consultation in the fourth quarter of 2009 on the 2012 Chief Executive and Legislative Council electoral methods.

2. The position of Political Assistant is responsible principally for providing political support and input to the Secretary and the Under Secretary, and conducting the necessary political liaison at the instruction of the Secretary and the Under Secretary. At present, the position of Political Assistant to Secretary for Constitutional and Mainland Affairs has yet to be filled. Similar to the filling of other outstanding positions of Under Secretaries and Political Assistants, our consistent position is that, if there are suitable candidates, such positions will be filled. If necessary, this could be done in phases.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB096

Question Serial No.

2862

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Security

Question : Please provide a breakdown by causes of the number of cases of Hong Kong residents requesting assistance received by the Beijing Office and Guangdong ETOs for the past two years (i.e. 2007 and 2008). How did the ETOs handle these cases and what were the resources involved? Please provide a breakdown by causes of the percentage of the cases resolved successfully?

Asked by : Hon. LEUNG Yiu-chung

Reply :

Immigration Divisions are set up under the Beijing Office (BJO) and Guangdong Economic and Trade Office (GDETO) and are tasked, among other duties, to provide practicable assistance to Hong Kong residents in distress. There are five Immigration Officer posts in BJO (supported by five local staff) and four in GDETO (supported by one local staff). The expenditure of the Immigration Divisions of BJO and GDETO is set out below:

Mainland Offices	Actual Expenditure 2007-08 (\$)	Revised estimate 2008-09 (\$)
BJO	13.5 million	12.9 million
GDETO	6.5 million	7.9 million

2. Assistance rendered by the Immigration Divisions of BJO and GDETO usually covers the following scenarios:

- (a) **Loss of travel documents or monies:** Verifying the identity of the concerned Hong Kong residents who have lost their travel documents and facilitating their early return to Hong Kong. The Divisions will also contact the family of the concerned Hong Kong residents where necessary.
- (b) **Accidents, injuries and decease cases:** Providing practicable assistance to the concerned assistance seekers and their families, including:
 - (i) notifying, as soon as possible, relatives of the parties concerned;
 - (ii) contacting family/travel agencies to arrange for the early return of the injured persons to Hong Kong for treatment;
 - (iii) facilitating the entry of the injured persons at control points back to Hong Kong;
 - (iv) if medical treatment is required in the Mainland, and where practicable, providing information on medical services available for reference; and
 - (v) assisting family members of the deceased in completing the application procedures for death certificates and for transporting the bodies back to Hong Kong.
- (c) **Arrest or Detention:** The Divisions will gather details of the case from the assistance seekers (usually family members of the concerned Hong Kong resident) and explain to them the relevant Mainland laws, regulations and procedures for criminal cases under different stages of investigation, prosecution, trial or imprisonment, etc. They will also advise the assistance seekers that they may appoint Mainland lawyers as their legal representatives. Where required, the Divisions can provide the assistance seekers with the relevant contact details of law societies in the concerned provinces/region under its coverage, so that the assistance seekers may consider seeking appropriate legal representation. At the request of the assistance seekers, the Divisions will pass on and reflect their views and requests to the relevant Mainland authorities and provide them with relevant information for reference (e.g. the rights and obligations of a person under detention) according to the development of the case.

3. The number of cases handled by BJO and GDETO for the past two years is set out below:

Category		Number of Request Handled			
		in 2007		in 2008	
		BJO	GDETO	BJO	GDETO
1.	Loss of travel documents or monies	84	5	50	4
2.	Persons in danger, involved in traffic accidents, injured or whose relatives had passed away in the Mainland	122	107	144	154
3.	Detention	28	37	20	26
Sub-total :		234	149	214	184

4. Some of the cases involved follow-up actions over a period of time. As the nature of the cases varies, it is not practicable to compile a success rate. The Immigration Divisions of both BJO and GDETO will diligently attend to each case and provide timely and practicable assistance and follow up as appropriate.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB097

Question Serial No.

2863

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (4) Rights of the individual

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

- Question :
- (a) The Constitutional and Mainland Affairs Bureau is the policy bureau responsible for the protection of human rights. What are the specific tasks and staffing arrangements in 2009-2010 to enhance human rights protection and monitor human rights?
 - (b) What are the indicators to evaluate the expected level of effectiveness of human rights protection work in 2008 and 2009?

Asked by : Hon. LEUNG Yiu-chung

Reply :

(a) The Constitutional and Mainland Affairs Bureau is responsible for coordinating and overseeing the implementation of government policies on the rights of the individual. Specific tasks in 2009-10 to enhance human rights protection and monitor human rights include –

- continue to oversee compliance with the reporting requirements under the relevant human rights treaties which apply to Hong Kong, and coordinate attendance of the Government to meetings of the corresponding treaty monitoring bodies (including the hearing of the International Convention on the Elimination of All Forms of Racial Discrimination in August 2009);
- continue to promote racial harmony, including the compilation of administrative guidelines to promote racial equality, and overseeing the establishment and operation of four regional support service centres for ethnic minorities;
- continue to promote other human rights including rights of children and equal opportunities for people of different sexual orientation and transgendered persons through various publicity and educational measures;

- consult the public on the findings of the review of the Personal Data (Privacy) Ordinance; and
- consider how the relevant parties could be consulted on the recommendation of the Law Reform Commission on stalking.

As the tasks above are an integral part of the work of the Bureau, there is no separate breakdown on the staffing arrangements for these tasks.

(b) The effectiveness of the work of the Government in protecting human rights is continually and closely monitored by the Legislative Council and the public, including the media. We also report to international human right treaties bodies regularly on the human rights situation in Hong Kong. In addition, we maintain close liaison with stakeholders through established channels such as the different forums to seek their views and comments on the human rights situation in Hong Kong. We will continue to maintain dialogue with the stakeholders concerned and monitor the situation closely.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB098

Question Serial No.

2864

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Race Discrimination Ordinance (RDO) is expected to implement in 2009-2010. As the body for implementing the RDO, it is likely that the workload of the Equal Opportunities Commission (EOC) will increase. Why the subvention in 2009-2010 is lower than the 2008-09 revised Estimates? How to ensure EOC has sufficient resources for the anti-discrimination work?

Asked by : Hon. LEUNG Yiu-chung

Reply :

We are fully committed to the implementation of the Race Discrimination Ordinance (RDO). An amount of \$1.05 million has been included in the 2009-10 estimate for the Equal Opportunities Commission (EOC) to launch educational and publicity projects on racial equality on a recurrent basis. According to our plans, the RDO will commence full operation around mid-2009, following the adoption of the Code of Practice on Employment and enactment of the relevant subsidiary legislation. Our intention is to review together with the EOC their requirement for additional resources to implement the RDO from that point onward. We have set aside an amount of around \$4 million to facilitate the enforcement of the RDO. However, the funding allocation to EOC is subject to the review over the next few months.

2. In 2008-09, there was a one-off provision of \$1 million for publicity and promotion of equal opportunities especially in the light of the race discrimination

legislation, and a capital subvention of \$0.48 million for the production of training materials which was completed in 2008-09. Since these amounts are for 2008-09 only, and the 2009-10 estimate for the EOC has not yet taken into account the additional funding to be allocated for enforcement for the RDO, the 2009-10 estimate is slightly lower than the 2008-09 revised estimate.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB099

Question Serial No.

2920

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (1) Director of Bureau's Office

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : How many official visits (including Mainland visits) were made by the Secretary for Constitutional and Mainland Affairs between 2004-05 and 2008-09? How much public funds were spent for each visit? On which items were the money spent? Please explain why these expenses were necessary.

Asked by : Hon. WONG Yuk-man

Reply :

Between 2004-05 and 2008-09, the Secretary for Constitutional and Mainland Affairs undertook 33 duty visits outside of Hong Kong which involved expenditure of \$254,100 on the part of the Bureau. Details of expenditure (to the nearest hundred dollars) by financial year are as follows -

<u>Year</u>	<u>No. of Visits</u>	<u>Total Expenditure</u>
2004-05	5	\$32,100
2005-06	6	\$25,300
2006-07	8	\$69,600
2007-08	4	\$19,900
2008-09	10	\$107,200

2. The expenditure includes air and train tickets and subsistence allowance.

3. The purposes of the visits are as follows -

	<u>Purpose of Visits</u>	<u>Destinations</u>	<u>No. of Visits</u>
(a)	Meetings relating to Hong Kong Guangdong Cooperation Joint Conference and work of Guangdong Economic and Trade Office (ETO)	Guangdong	14
(b)	Meetings relating to Pan-Pearl River Delta Cooperation Forum and work of Chengdu ETO	Sichuan, Guangdong, Yunnan and Hunan	5
(c)	Meetings relating to Sichuan Reconstruction, World Exposition 2010 Shanghai China and work of Shanghai ETO	Sichuan and Shanghai	4
(d)	Swearing-in ceremony of the Chief Executive, Seminar on 10th Anniversary of Implementation of the Basic Law, Closing Ceremony of the Beijing 2008 Paralympics Games, Working meetings with the Central People's Government Ministries and the Beijing Office	Beijing	9
(e)	Overseas visit to speak on Hong Kong's constitutional and other developments	New Zealand	1

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB100

Question Serial No.

2921

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : On the appointment of Under Secretaries and Political Assistants to the Directors of Bureaux in 2008, could the Administration advise in appointing these officials, was there any other expenditure involved other than personal emolument? If yes, please give details. After taking office, did any of them go overseas for official visits? After taking office, did they use any public moneys to conduct their political lobbying?

Asked by : Hon. WONG Yuk-man

Reply :

With the appointment of Under Secretaries and Political Assistants, the relevant bureaux / offices need to incur, apart from the remuneration of these officials, the following additional expenditure :

- (a) MPF contribution by the Government as employer: The Government's contribution amounts to \$12,000 per annum for each politically appointed official; and
- (b) one Senior Personal Secretary to support each Under Secretary: The post of Senior Personal Secretary is at a notional annual salary cost at mid-point of \$402,240.

Departmental transport for Under Secretaries and secretarial support for Political Assistants are provided from within resources currently available to the relevant bureaux / offices.

2. The provisions for the remuneration of the politically appointed officials and the departmental expenses incurred by them are included in the annual Estimates in the same way as other similar expenses of the relevant bureaux or

offices. The use of such resources is subject to the same financial rules and procedures applicable to government expenditure in general.

3. As regards overseas official visits, such visits by politically appointed officials are subject to operational need, as in the case of civil servants. Examples of such visits include the visit of the Under Secretary for Commerce and Economic Development to Davos, Switzerland, in late January 2009 to take part in an informal ministerial meeting on the Doha Round of multilateral trade negotiations under the World Trade Organization; and the visit of the Under Secretary for Constitutional and Mainland Affairs to Geneva, Switzerland, in early February 2009 to attend the hearing by the United Nations Human Rights Council on the HKSAR's report with regard to the promotion and protection of human rights. The expenses relating to these overseas official visits count towards the general departmental expenses of the bureaux / offices concerned.

4. As regards lobbying, politically appointed officials need to lobby political parties / groups and Legislative Council (LegCo) Members in dealing with policy and legislative issues from time to time. Assessing the need for such lobbying and conducting the actual lobbying are part of their jobs. This helps Government secure support of political parties / groups and LegCo Members to its policies and takes into account their ideas and input in the process of policy formulation and implementation. If any expenses are incurred in the performance of this duty, they are subject to the same financial rules and procedures applicable to the expenditure concerned.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB101

Question Serial No.

2926

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Race Discrimination Ordinance (RDO) was passed in 2008. The implementation of the Ordinance, including the Code of Practice for different industries, has been discussed. Please inform how the Equal Opportunities Commission, without additional resources, implements the RDO as the three other anti-discrimination ordinances.

Asked by : Hon. WONG Yuk-man

Reply :

We are fully committed to the implementation of the Race Discrimination Ordinance (RDO). An amount of \$1.05 million has been included in the 2009-10 estimate for the Equal Opportunities Commission (EOC) to launch educational and publicity projects on racial equality on a recurrent basis. According to our plans, the RDO will commence full operation around mid-2009, following the adoption of the Code of Practice on Employment and enactment of the relevant subsidiary legislation. Our intention is to review together with the EOC their requirement for additional resources to implement the RDO from that point onward. We have set aside an amount of around \$4 million to facilitate the enforcement of the RDO. However, the funding allocation to EOC is subject to the review over the next few months.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 19 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB102

Question Serial No.

2927

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (5) Subvention: Equal Opportunities Commission and Office of the
Privacy Commissioner for Personal Data

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : A number of information leakage cases occurred in 2008, including the indecent photos of artistes early in the year and information relating to police investigation work. All these cases involved the storage of personal data in electronic form in computers or USBs and had personal data privacy implications. Could the Secretary advise why the Administration did not provide the Privacy Commissioner for Personal Data with more resources to discharge his duties?

Asked by : Hon. WONG Yuk-man

Reply :

The Government is firmly committed to the protection of personal data privacy and will strive to provide resources at an appropriate level to support the Office of the Privacy Commissioner for Personal Data (PCPD) in the effective enforcement of the Personal Data (Privacy) Ordinance (PDPO).

2. The revised financial provision for the PCPD in 2008-09 amounted to \$42.9 million, representing an increase of 18.5% over the 2007-08 provision. Of this increase, \$1.4 million was to cater for pay rise whereas the rest was to enhance the protection of personal data privacy, which comprised :

- (a) \$1.8 million was for the creation of three posts on a recurrent basis for strengthening the enforcement team of the PCPD;
- (b) an additional one-off allocation of \$2.4 million was provided to further strengthen PCPD's enforcement team on work to promote compliance with the requirements of the PDPO, following an in-year review of the resource requirements of the PCPD; and

- (c) \$1 million was provided on a one-off basis for stepping up the promotion and educational work to promote public awareness on protection of personal data.

3. For 2009-10, the proposed financial provision for the PCPD is \$44.5 million, an all-time high since the establishment of the PCPD in December 1996. The amount includes \$5 million to be allocated to the PCPD on a recurrent basis from 2009-10 onwards for the creation of four posts in PCPD's enforcement team to step up self-initiated enforcement actions, and one post to render professional support on information technology front in the enforcement of the PDPO.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB103

Question Serial No.

2968

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Security

Question : Please provide the number of detention cases of Hong Kong residents in the Mainland from 2007 to 2008 and a breakdown by categories on cases where the office successfully helped the assistance seekers to return to Hong Kong.

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The Immigration Divisions of the Beijing Office (BJO) and Guangdong Economic and Trade Office (GDETO) provide assistance to Hong Kong residents detained in the Mainland within their respective coverage area. A breakdown of the detention cases handled by the Immigration Divisions of BJO and GDETO in 2007 and 2008 is set out below :

Reasons for Detention	2007		2008	
	CR	NR	CR	NR
Fraud	27	10	11	2
Smuggling	12	5	9	1
Smuggling/manufacturing of narcotic drugs	2	0	5	1
Corruption	2	0	4	0
Organising illegal migration	3	3	0	0
Murder with intent	1	0	2	0
Common assault	0	0	3	2
Official tort	1	1	2	1
Espionage	1	1	1	0
Illegal operation	3	3	1	0
Impersonation	1	0	0	0
Commercial dispute	3	1	4	3
Undermining law with organized cult	3	1	0	0
Others	6	3	4	2
Total	65	28	46	12

CR: No. of assistance cases received
NR: No. of assistance seekers returned to Hong Kong

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB104

Question Serial No.

2969

Head : 144 GS: Constitutional and Subhead (No. & title) :
Mainland Affairs Bureau

Programme : (3) Mainland Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs
Secretary for Security

Question : The Mainland Offices pledge to offer practicable assistance to the Hong Kong people in distress in Mainland. In case a Hong Kong resident is involved in legal proceedings, detained and penniless in the Mainland, what kind of assistance will be given by a Mainland Office? Does the assistance includes giving preliminary legal advice?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

Immigration Divisions are set up under the Beijing Office (BJO) and Guangdong Economic and Trade Office (GDETO) and are tasked, among other duties, to provide practicable assistance to Hong Kong residents in distress. In handling requests for assistance from Hong Kong residents under detention in the Mainland, the Divisions will gather details of the case from the assistance seekers (usually family members of the concerned Hong Kong resident) and explain to them the relevant Mainland laws, regulations and procedures for criminal cases under different stages of investigation, prosecution, trial or imprisonment, etc. At the request of the assistance seekers, the Divisions will pass on and reflect their views and requests to the relevant Mainland authorities and provide them with relevant information for reference (e.g. the rights and obligations of a person under detention) according to the development of the case. For those who claim to be out of money, the Divisions would, upon their request, contact their families in Hong Kong for financial assistance.

2. The Divisions will advise the assistance seekers that they may appoint Mainland lawyers as their legal representatives. Where required, the Divisions can provide the assistance seekers with the relevant contact details of law societies in the concerned provinces/region under its coverage, so that the assistance seekers may consider seeking appropriate legal representation.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB105

Question Serial No.

0317

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

The 2008-09 original estimate of expenditure on allowances under Subhead 000 is about \$540,000 but the revised estimate increases by nearly 300% to about \$1.7 million. Could the Administration state the reasons?

Asked by : Hon. HO Chun-yan, Albert

Reply :

In compiling the 2008-09 original estimate of expenditure, the Registration and Electoral Office (REO) worked on the assumption that the civil service posts would be filled by officers of the substantive rank. As some of the civil service posts were subsequently filled by officers on acting appointment, the revised estimate on acting allowance has increased. However, this increase was offset by a reduction in the revised estimate on salaries.

Signature _____

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 13 March 2009

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB106

Question Serial No.

0318

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

With regard to the key performance measure “to respond to telephone enquiries on election arrangements on polling days within two minutes”, will the Administration explain why responding to such enquiries within two minutes is considered as meeting the criteria? How to define an enquiry has been responded to?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Registration and Electoral Office (REO)'s enquiry hotline receives tens of thousands of telephone enquiries during the polling hours on the polling day in an ordinary or general election. Staff manning the enquiry hotline could provide answers or initial response to the enquiries within two minutes. The majority of the enquiries are concerned with the caller's voter registration status and the location of the designated polling station. For more complicated enquiries, the staff would provide initial responses and refer them to the subject officer for in-depth handling.

Signature _____

Name in block letters _____ TING TSUI Wai-ming, Vivian

Post Title _____ Chief Electoral Officer

Date _____ 13 March 2009

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB107

Question Serial No.

0319

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

Regarding the promotion and conduct of voter registration campaign, please list out the actual expenditures for 2007-08 and 2008-09 and the estimated expenditure for 2009-2010.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Regarding the promotion and conduct of voter registration campaign and the annual updating of voter registers, the actual expenditure in 2007-08 is \$16 million, the revised estimate for 2008-09 is \$25.4 million and the estimated expenditure for 2009-10 is \$5.2 million. As 2009 is a non-election year, the scale of the Voter Registration Campaign will be relatively small when compared with 2007 and 2008, so as to ensure that public money is used in a value-for-money manner.

Signature _____

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 13 March 2009

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB108

Question Serial No.

0320

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

Given that no major elections will be held in 2009-2010 and the projected number of new registered electors for the year concerned is 38 000, what will be the actions taken by the Registration and Electoral Office (REO) to ensure that the target number of 38 000 new registered electors can be achieved? In addition, will the REO consider raising the target number of new registered electors? If yes, what are the details? If no, why?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Large-scale voter registration campaigns were held in 2007 and 2008 to tie in with the 2007 DC election and the 2008 LegCo election respectively. As 2009 is a non-election year, the scale of the Voter Registration Campaign will be relatively small when compared with 2007 and 2008. In view of the above and with reference to the number of new registration cases in previous non-election years, we consider it realistic and appropriate to set a target of 38 000 new registration cases for 2009-10.

2. The Registration and Electoral Office will implement the following measures to achieve the target -

- (a) to appeal to potential electors to register through various publicity means, which include broadcasting Announcements of Public Interest through television and radio channels during the 2009 Voter Registration Campaign, placement of advertisements in newspapers, display of publicity posters and issuing of press releases;

- (b) to deploy Voter Registration Assistants at the five Registration of Persons Offices (“ROP Offices”) of the Immigration Department to appeal to eligible persons visiting ROP Offices to register as electors; and
- (c) to send voter registration forms to various institutions and organizations, including government departments, banks, universities, post-secondary institutions, youth and elderly centres to facilitate interested persons to register.

Signature _____

Name in block letters _____ TING TSUI Wai-ming, Vivian _____

Post Title _____ Chief Electoral Officer _____

Date _____ 19 March 2009 _____

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB109

Question Serial No.

0321

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

Regarding the voting arrangements for remanded unconvicted persons during an election, will amendments to existing legislation be required before the relevant arrangements could be implemented? What is the estimated expenditure involved for the work in 2009-2010? What is the estimated number of eligible electors concerned?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

According to the High Court judgment in respect of three judicial review cases relating to the right of prisoners to be registered as electors and the voting right of prisoners and remanded unconvicted persons, the constitutional right to vote of remanded unconvicted persons is not affected by any law. In view of the judgment, the Registration and Electoral Office will make interim arrangements within the existing legislative framework to facilitate remanded unconvicted persons who are registered electors of the relevant constituencies to vote in all forthcoming by-elections which may be held in the interim. Since there is no ordinary or general elections in 2009-10, any resources required for enabling the remanded unconvicted persons to vote in any by-elections are expected to be minimal and can be absorbed within the existing allocation. We are also working on amendments to the subsidiary legislation on electoral procedures to introduce long-term arrangements to facilitate voting by remanded unconvicted persons.

2. As the number of persons remanded by various law enforcement agencies fluctuates daily, it is difficult to give a realistic estimate on the number of remanded unconvicted persons who are eligible to vote.

Signature _____

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 13 March 2009

Examination of Estimates of Expenditure 2009-10
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB110

Question Serial No.

1757

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

In the Budget of last year (i.e. 2008-09), it was mentioned that the Registration and Electoral Office would have a net reduction of 35 posts after the completion of the Legislative Council Election. However, according to the revised estimate, the establishment of the Office has only been reduced from 149 posts to 121 posts. What are the reasons?

Asked by : Hon. TAM Yiu-chung

Reply :

In the 2008-09 Draft Estimate, it was projected that the establishment of the Registration and Electoral Office (REO) as at 31 March 2008 would be 156 and that there would be a net reduction of 35 posts in 2008-09 after the completion of the Legislative Council Election to bring the overall establishment to 121 posts. Owing to the shortage of staff for filling the posts, seven of the posts could not be created as planned, resulting in an actual establishment of 149 as reported in the 2009-10 Draft Estimate. As a result, the net deletion of posts is also reduced accordingly from 35 as projected in the 2008-09 Draft Estimate to 28 as stated in the revised estimate.

Signature _____

Name in block letters _____ TING TSUI Wai-ming, Vivian

Post Title _____ Chief Electoral Officer

Date _____ 18 March 2009

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB111

Question Serial No.

1758

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

Please specify the plans for the promotion and conduct of the voter registration campaign in 2009-10 and the expenditure involved. How many new voters are expected to register?

Asked by : Hon. TAM Yiu-chung

Reply :

For the 2009 Voter Registration Campaign, the Registration and Electoral Office (REO) has set a target of 38,000 new registration cases. REO will implement the following measures to appeal to eligible persons to register as electors –

- (1) to appeal to potential electors to register through various publicity measures. These measures include broadcasting Announcements of Public Interest through television and radio channels during the 2009 Voter Registration Campaign, placement of advertisements in newspapers, display of publicity posters and issue of press releases;
- (2) to deploy Voter Registration Assistants at the five Registration of Persons Offices (ROP Offices) of the Immigration Department to appeal to eligible persons visiting ROP Offices to register as electors; and
- (3) to send voter registration forms to various institutions and organizations, including government departments, banks, universities, post-secondary institutions, youth and elderly centres to facilitate interested persons to register.

Apart from appealing to eligible persons to register as elector, REO would also make use of the above measures to remind / facilitate registered electors who have changed their registration particulars to update their records with the REO. In addition, REO would send appeal letters to all households which have recently moved into new private residential housing estates to remind them to report changes in address to the REO.

2. The estimated expenditure in 2009-10 for the promotion and conduct of voter registration campaign and the annual updating of voter registers is \$5.16 million.

Signature _____

Name in block letters _____ TING TSUI Wai-ming, Vivian

Post Title _____ Chief Electoral Officer

Date _____ 18 March 2009

Examination of Estimates of Expenditure 2009-10

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

CMAB112

Question Serial No.

2844

Head : 163 Registration and
Electoral Office

Subhead (No. & title) :

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question :

Under the operational expenses for the Registration and Electoral Office, it is stated that the election expenses for 2009-10 will be \$23.16 million. Would the Administration please advise:

- (a) the estimated number of elections to be conducted?
- (b) the estimate for each election and a breakdown of the expenses?
- (c) the other types of expense to be included in "election expenses" apart from the expenses for conducting elections?

Asked by : Hon. WONG Kwok-kin

Reply :

The provision of \$23.16 million under "Election Expenses" is made up of a sum of \$18 million earmarked for the conduct of Legislative Council and District Council by-elections to be held if and when a vacancy arises, and \$5.16 million earmarked for the publicity of the 2009 Voter Registration Campaign and the annual updating of voter registers.

2. The expenditure of by-elections could vary significantly depending on the size of the electorate, the number of candidates, the voter turnout rate, etc. of the by-election concerned. It is therefore difficult to estimate the expenditure and the breakdown of each by-election. It is also not possible to foresee the number of by-elections to be conducted. In line with the established practice, we have provided for a lump sum amount in the estimate to cater for the possible need to conduct by-elections.

Signature _____

Name in block letters _____ TING TSUI Wai-ming, Vivian

Post Title _____ Chief Electoral Officer

Date _____ 18 March 2009

Reply Serial No.

CMAB113

Examination of Estimates of Expenditure 2009-10

CONTROLLING OFFICER'S REPLY TO

INITIAL WRITTEN QUESTION

Question Serial No.

2679

Head : 703 – Buildings

Subhead : 3006GA HKSAR's Participation in the
World Exposition 2010 Shanghai
China – Hong Kong Pavilion

Programme :

Controlling Officer : Director of Architectural Services

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The approved project estimate for the World Exposition 2010 Shanghai China – Hong Kong Pavilion is \$145 million. With just \$8 million for the revised estimate in 2008-09 and \$70 million for the estimate in 2009-10, the commencement and progress of the project might be affected. In this connection, please advise on the following:

- (a) The current progress and timetable of the project.
- (b) What plans does the Administration have to help expedite the planning, commencement and progress of the project? Please give the details.
- (c) Please list the items, human resources and expenditure allocation expected to be involved in the project according to the current progress.

Asked by : Hon. LAU Sau-shing, Patrick

Reply : (a) A design-and-build contract was awarded in December 2008 for the Hong Kong Pavilion in World Exposition 2010 Shanghai. Design development and site preparation works are in progress. Construction commencement is targeted for May 2009.

- (b) The Architectural Services Department's management and project team has been reinforced with extra architectural and building services support to work closely with the design-and-build contractor and co-ordination meetings with the Shanghai Expo Bureau are held to facilitate smooth progress for both design submissions and site works. In conjunction with Constitutional and Mainland Affairs Bureau, the team will closely oversee the progress of the Hong Kong Pavilion.

(c) A breakdown of the approved project estimate is as follows:

	<u>\$ million</u>
Building works	39.30
Fitting out works	21.00
Exhibits	43.50
Consultants and inspection	2.70
Contingencies	10.00
Provision for inflation, Renminbi fluctuation	<u>28.90</u>
	<u>145.40</u>

With the works being carried out in Shanghai, we estimate that the project will create a total of 13 jobs for Hong Kong consultants, comprising six professional and seven technical staff, totalling 320 man-months.

Signature _____

Name in block letters C H YUE

Post Title Director of Architectural Services

Date 16 March 2009