

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Session No. : 1

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**Replies to supplementary written questions raised by Finance Committee
Members in
examining the Estimates of Expenditure 2010-11**

**Director of Bureau : Secretary for Constitutional and Mainland Affairs
Session No. : 1**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
S-CMAB01	S001	Hon. HO Sau-lan, Cyd	144	Constitutional and Mainland Affairs
S-CMAB02	S003	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB03	S004	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB04	S005	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB05	S006	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB06	S007	Hon. LAU Wai-hing, Emily	144	Rights of the Individual
S-CMAB07	S008	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB08	S009	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB09	S010	Hon. LAU Wai-hing, Emily	144	Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data
S-CMAB10	S015	Hon. WONG Kwok-hing	144	Constitutional and Mainland Affairs
S-CMAB11	S002	Hon. EU Yuet-mee, Audrey	163	Electoral Services

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB01

Question Serial No.

S001

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 programme (2), provisions for enhancing ties with other parts of China, strengthening support for cooperation with Pan Pearl River Delta Region, complementing the preparation of the National 12th Five-Year Plan, co-ordinating and enhancing exchanges and cooperation with Taiwan, and meeting operating expenses etc. account for 27.5% of the financial provision for this programme. How much will be spent on activities introducing the above work to Hong Kong residents and on extensive consultation exercises consulting Hong Kong residents on co-operative initiatives before they are implemented? Please list out the number of consultation documents published, the number of consultations conducted and the number of people participated in each consultation, as well as the expenditure involved.

Asked by : Hon. HO Sau-lan, Cyd

Reply :

To enhance our ties with different regions of the Mainland, strengthen support for cooperation with Pan Pearl River Delta Region, complement the preparation of the National 12th Five-Year Plan, coordinate and enhance exchanges and cooperation with Taiwan, the Constitutional and Mainland Affairs Bureau (CMAB) has been engaging different sectors of the community to gauge the views of the relevant industries, the Legislative Council (LegCo) and the general public with a view to ensuring our work will achieve the planned objectives of policies, measures and individual cooperative initiatives.

2. For relevant industries, whenever new measures and cooperative initiatives are in the pipeline, we will consult the relevant sectors and trade associations as and when necessary. For example, in previous deliberations on further relaxation of restrictions and measures under CEPA, relevant government bureaux would approach the relevant sectors and consult them on their views and requests; to complement the preparation of the National 12th Five-year Plan, we held seminars where academics and Mainland experts were invited to exchange views; the Greater Pearl River Delta Business Council, supported by the CMAB, has conducted research and put forward views on issues relating

to Guangdong / Hong Kong cooperation under the Guangdong / Hong Kong cooperation forum, and published its work; and to further strengthen Guangdong/Hong Kong cooperation, we held seminars and visits to cities in Guangdong to widely gauge the views of different sectors, and enhance the mutual understanding between Guangdong and Hong Kong so as to develop more cooperation opportunities.

3. In respect of the LegCo, we have taken every opportunity to provide timely progress reports to the LegCo and relevant Panels to update Members on our work. For example, we have reported to the LegCo and relevant Panels on our work in taking forward exchanges and cooperation with Taiwan; we have on several occasions reported to the LegCo Panel on Commerce and Industry the latest progress under the Guangdong / Hong Kong cooperation, including briefing Members on the cooperation agreements signed between Hong Kong and Guangdong in relation to different policy areas.

4. In introducing our work to the general public, we have been keeping in touch with the public through various channels, such as holding press conferences, issuing press releases and uploading relevant information on to the website. We make such arrangements following meetings between the governments of the Mainland and Hong Kong and when substantial progress has been made, so as to provide the public with the information.

5. The work mentioned above is an integral part of the roles and functions of the CMAB. The expenditure involved cannot be singled out. In taking forward future cooperation with the Mainland, we will continue to make use of these effective measures to proactively gauge the views of different sectors widely.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB02

Question Serial No.

S003

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 : Regarding cases taken to court by the Equal Opportunities Commission in 2008 and 2009, please list out, by each case, the time when the complaint was lodged, when legal proceeding were instituted, and when legal proceeding were concluded.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2008 and 2009, the Equal Opportunities Commission (EOC) assisted complainants in bringing their cases to court in 13 cases. The time of lodging complaint, initiating legal proceeding and conclusion / settlement for each case are listed below.

	Ordinance involved	Case	Date of lodging complaint	Date of initiating legal proceeding (i.e. issuance of writs)	Conclusion date
1.	Disability Discrimination Ordinance (DDO)	Alleged disability discrimination and dismissal while on recommended sick leave.	September 2005* June 2006*	April 2008	October 2009 (Settled)

	Ordinance involved	Case	Date of lodging complaint	Date of initiating legal proceeding (i.e. issuance of writs)	Conclusion date
2.	Sex Discrimination Ordinance (SDO)	Alleged pregnancy discrimination. Victim dismissed shortly after giving pregnancy notice.	May 2007	September 2008	March 2009 (Settled)
3.	DDO	Alleged disability discrimination. Victim was transferred to another position and eventually dismissed.	August 2006	September 2008	October 2009 (Settled)
4.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability and sick leaves.	September 2006	January 2009	Ongoing
5.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability.	May 2007	January 2009	August 2009 (Settled)
6.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her hearing impairment.	May 2006	January 2009	March 2009 (Settled)
7.	DDO	Alleged disability vilification.	July 2007	April 2009	Ongoing

	Ordinance involved	Case	Date of lodging complaint	Date of initiating legal proceeding (i.e. issuance of writs)	Conclusion date
8	DDO	Alleged disability discrimination. Defendant allegedly had not provided adequate wheelchair access to residential premises.	September 2006	June 2009	Ongoing
9.	SDO	Alleged sexual harassment in employment.	December 2007	June 2009	Ongoing
10.	SDO	Alleged sex discrimination. Defendants allegedly had refused provision of services and facilities on the ground of sex.	October 2006* April 2007*	July 2009	Ongoing
11.	DDO	Alleged disability discrimination. Victim claimed to be dismissed on the ground of her disability.	April 2008	July 2009	November 2009 (Settled)
12.	SDO	Alleged sexual harassment in employment.	October 2007	October 2009	Ongoing
13.	SDO	Alleged pregnancy discrimination by dismissal.	November 2008	December 2009	Ongoing

(*complainant lodging complaints against different respondents)

2. There are a number of stages between lodging of complaints and initiation of legal proceedings. After a complainant has lodged a complaint, the EOC will first consider the initial facts provided. Where warranted, it will conduct investigation into the complaint and try to settle it by conciliation, a process which is often prolonged by the time in seeking relevant information from parties concerned and considering the terms of settlement where applicable, especially in complex cases. If a settlement is not reached, the complainant may then consider whether to apply to the EOC for legal assistance, which may take some time. The EOC generally makes decision on legal assistance applications within three months. In line with litigation practice, lawyers of both sides will then attempt a settlement through negotiation after legal assistance has been granted but before legal proceedings commence. The time taken from lodging of complaints to initiation of legal proceedings, therefore, varies, depending the time needed by the parties involved at various stages and the complexity of the case.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB03

Question Serial No.

S004

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 : According to the Government's reply to CMAB056, the Equal Opportunities Commission's expenditure on promotional and training activities in 2009 is \$1,134,500, of which \$1,011,000 is spent on drama performances. How many drama performances have been conducted? What are the reasons for spending a large portion of the provision on such performances while only about 10% is spent on training activities and seminars? Has effectiveness of such performances been evaluated?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Equal Opportunities Commission (EOC) has engaged three theatre troupes to stage 303 drama performances (including puppet shows) in schools to promote equal opportunities. These drama performances have reached over 56,000 students in 2009. To evaluate the effectiveness of the drama performances, participating schools are requested to complete questionnaires to give their feedback. The outcome shows that over 90% of participating schools found the performances satisfactory in conveying equal opportunities concepts to the students, and they were keen to request more performances for their students in the coming year.

2. During the same period, EOC has conducted a total of 512 seminars and training sessions with about 25,000 participants. These sessions were conducted by staff of the Corporate Communications and Training Unit of the EOC, and did not involve significant expenditure other than staff and administrative costs. In our reply no. CMAB056, as staff and administrative costs could not be attributed to individual activities, the respective expenditure shown did not include such costs.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB04

Question Serial No.

S005

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 the position of Chief Operations Officer (COO) will be created in the Equal Opportunities Commission in 2010-11, there will be a demarcation of duties and responsibilities between the Chairperson and the COO. When will the demarcation be decided?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The demarcation of duties and responsibilities between the Chairperson of the Equal Opportunities Commission (EOC) and the Chief Operations Officer is expected to be decided in a few months' time after deliberation by the Board of the EOC.

Signature _____

Name in block letters **JOSHUA LAW** _____

Post Title Permanent Secretary for
Constitutional and Mainland Affairs _____

Date 9 April 2010 _____

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB05

Question Serial No.

S006

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 advise on the average number of simple and complicated cases handled by each officer of the Operations Division and the Compliance Division of the Office of the Privacy Commissioner for Personal Data in 2007, 2008 and 2009, the average working days needed for processing each case, as well as the staff wastage rate of the Operations Division.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Operations Division of the Office of the Privacy Commissioner for Personal Data (PCPD) is responsible for handling complaint cases. The PCPD does not keep statistics on the number of simple and complicated cases allotted to each officer of the Operations Division. Since complaint cases are usually handled by Personal Data Officers and Assistant Personal Data Officers, the average number of complaint cases handled by each of these officers for the past three years are 98 cases in 2007, 105 cases in 2008 and 128 cases in 2009. There were three Senior Personal Data Officers and one Chief Personal Data Officer in the Operations Division from 2007 to 2009 but these officers mainly carried out supervision work and hence are not included in the calculation of average number of cases handled by each officer in the above figures.

2. The average time taken to settle a complaint case is 60 days in 2007, 66 days in 2008 and 93 days in 2009.

3. To cope with the increase in the number of complaint cases handled by the Operations Division, the Constitutional and Mainland Affairs Bureau has proposed in the 2010-11 estimates to provide additional resources to the PCPD for the creation of four posts to strengthen enforcement and to provide legal support.

4. The turnover rate (including departed officers and officers transferred to other work divisions of PCPD but excluding the Chief Personal Data Officer who leads the Operations Division) of staff in the Operations Division is as follows:

2007: 29% (4 out of 14 officers, of which 2 were transferred out to another division)
2008: 67% (8 out of 12 officers, of which 2 were transferred out to another division)
2009: 8% (1 out of 12 officers, who was transferred out to another division)

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____

Permanent Secretary for
Constitutional and Mainland Affairs

Date _____

9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB06

Question Serial No.

S007

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 : According to the Government's reply to CMAB116, the annual funding allocation for each of the 4 support service centres for ethnic minorities is over \$4 million, but the number of ethnic minorities served is small. What are the reasons for the small number of service users? Please list out the respective number of users of various services such as interpretation service and community performance. Given that many South Asians do not know Chinese, there should be a demand for interpretative service, what are the reasons for the small number of users for the service? Provision earmarked to Hong Kong Christian Service CHEER Centre will increase from \$4.37 million to \$7.15 million, what are the reasons?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

- (a) The four support service centres came into operation from May to September 2009. The figures in our reply no. CMAB116 only reflect the part-year usage situation at the introductory stage of the service. The number of service users has been increasing progressively since the centres commenced their services. All centres continue to actively reach out to ethnic minority communities in different districts, and collaborate with non-government organisations (NGOs) and relevant government bureaux and departments to promote their services to ethnic minorities.

- (b) A breakdown of the usage of the support service centres by types of programmes and services, as at 28 February 2010, is as follows :

Programmes / services	Usage
Language and tutorial classes	1 350
Computer classes	900
Telephone / on-site interpretation and translation services	350
Counseling and referral services	200
Integration Programmes (e.g. capacity building, orientation, social and cultural programmes)	6 900
Mass programmes (including cultural shows, carnivals etc)	4 700

- (c) The interpretation and translation services provided by the Hong Kong Christian Service (HKCS) CHEER Centre formally commenced operation on 31 October 2009 after a training and trial run period. It provides, among others, free telephone interpretation services in seven common ethnic minority languages in Hong Kong. Since this is a new service, time and efforts are needed to promote the service and reach out to the users. To this end, the Centre, with the assistance of the Constitutional and Mainland Affairs Bureau (CMAB) and relevant parties, has been promoting the services to ethnic minorities actively through a variety of means, including :

- (i) district visits, including setting up of booths, to promote the services;
- (ii) placing advertisements in ethnic minority newspapers and magazines;
- (iii) promotion on radio programmes in ethnic minority languages sponsored by CMAB;
- (iv) distribution of leaflets / wallet cards on the services in districts, the airport, during events, and through NGOs serving ethnic minorities; and;
- (v) display of posters at various venues frequently visited by ethnic minorities, including NGOs serving ethnic minorities, consulates and shops.

In addition, to familiarise providers of services frequented by ethnic minorities with the service, the Centre has also been networking with relevant authorities and NGOs to raise their awareness of their services. It has also been conducting briefings for government bureaux and departments (through the coordination of CMAB), as well as for NGOs, on the services provided by the Centre, and providing them with guidelines on using the interpretation and translation services in serving ethnic minorities.

The Centre will continue the publicity efforts in coordination with various stakeholders. It will launch a dedicated website in ethnic minority languages to promote its services shortly, and is also producing service promotion videos in ethnic minority languages on the use of the interpretation services. We will continue to monitor the operation and usage of the service.

- (d) The CHEER Centre commenced operation in September 2009. The 2009-10 funding allocation of \$4.37 million covers part of the one-off set up cost and part of the annual operating cost from September 2009 to March 2010. The 2010-11 allocation of \$7.15 million covers the remaining one-off cost (for additional equipment) and the whole year annual operating costs (\$6.85 million for 2010-11).

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB07

Question Serial No.

S008

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 : According to the Government's reply to CMAB062, an additional provision of \$4.57 million is provided to the Office of the Privacy Commissioner for Personal Data (PCPD) in 2010-11 to step up its enforcement and promotion work. However, when compared with the 2009-10 revised estimate, the net increase in the subvention to the PCPD in 2010-11 is only \$3.5 million. What are the reasons for such a discrepancy? Please list out the specific items where adjustments have been made and the amount of subvention involved in each of these items.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The relevant calculation is as follows :

- | | | |
|-----|---|-------------------|
| (a) | Additional provision to the Office of the Privacy Commissioner for Personal Data (PCPD) in 2010-11 for the creation of five posts to step up enforcement, to provide legal support and to enhance public education and promotion work | \$4.57 million |
| (b) | Add claw-back in 2009-10 for exceeding reserve ceiling | + \$0.737 million |
| (c) | Less one-off provision in 2009-10 to the PCPD for promotion work | - \$1.437 million |

(d) Less full-year implementation of salary reduction in 2010-11 arising from pay adjustment in 2009-10 - \$0.386 million

Net increase \$3.5 million

Signature _____

Name in block letters _____

JOSHUA LAW

Post Title _____

Permanent Secretary for
Constitutional and Mainland Affairs

Date _____

9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB08

Question Serial No.

S009

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 : According to the Work Report of the Privacy Commissioner released in December 2009, the Office of the Privacy Commissioner for Personal Data has adopted a number of measures to save expenses. These measures include relocating the office to cut down on expenditure, cutting down on overtime payment by not having the service of drivers and motor car for some of the time, travelling on economy class, inviting local and overseas guests to provide training without charge, inviting experts to assist voluntarily in the inspection of Hospital Authority's Patients' Data System, using the Hall of Wah Yan College (the Commissioner's alma mater) to hold activities etc. Please advise on the savings achieved by the respective measures as listed in the Work Report.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Office of the Privacy Commissioner for Personal Data (PCPD) follows the "moderate and conservative" approach in the use of public funds. Its conscientious efforts had resulted in various saving measures as mentioned in Chapter 9 of the Work Report of the Privacy Commissioner published in December 2009 (the Work Report). According to information provided by the PCPD:

- (a) the relocation of the office premises of the PCPD from the Convention Plaza to 248 Queen's Road East in 2006 had achieved a savings of rental of about \$7.5 million for a three-year lease as compared with the rent offered by the landlord of the Convention Centre (item 1 of the Work Report);
- (b) the amount saved on gratuity reduction upon renewal of employment contracts with staff for the year 2005-06 was about \$236,000 (item 3 of the Work Report);

- (c) the compensation for overtime work of some staff (typically the motor driver of the PCPD) by way of time-off instead of granting monetary payments had resulted in saving of approximately \$57,000 in 2007-08 and \$50,000 in 2008-09 (item 4 of the Work Report);
- (d) the efforts to reduce costs and expenses for overseas duty visits had resulted in a dramatic drop of yearly expenditure from \$578,960 in 2001-02 to \$144,000 in 2008-09 (item 5 of the Work Report);
- (e) as for the saving on travelling on economy class for short flight, a sum of about \$15,000 was saved in 2009 for the trip taken by the Privacy Commissioner to Singapore in July 2009. As for the trip taken to Singapore in February 2009, the Privacy Commissioner used the mileage earned to redeem the air ticket for economy class (item 6 of the Work Report); and
- (f) when launching industry-wide promotion activities in 2008 and 2009, promotion expenses were shared with the co-organising partners, resulting in a saving of \$150,000 (item 17 of the Work Report).

2. The PCPD is unable to make quantifiable assessment on the amount saved for the remaining measures of the Work Report, such as the amount saved for freezing annual increment (as increment was granted based on performance and it would be impracticable to conduct a retrospective assessment of staff performance now), provision of free training to PCPD's staff, the consultancy advice provided by experts to assist in the inspection exercise in 2008 and the booking of the Hall of Wah Yan College without charge for holding the opening ceremony of the Privacy Awareness Week 2009.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB09

Question Serial No.

S010

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 : According to the Work Report of the Privacy Commissioner released in December 2009, the Office of the Privacy Commissioner for Personal Data (PCPD) has been relocated to the present premises where rental charge is lower in order to cut down on the PCPD's expenditure. Has the Government considered acquiring permanent office accommodation for the PCPD? What criteria are used in determining whether public-funded bodies should have their own permanent office accommodation? Does the Administration have any knowledge of the percentage of public-funded bodies which have permanent office accommodation?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government has not received any funding application from the Office of the Privacy Commissioner for Personal Data (PCPD) for acquiring permanent office accommodation. Funding application for a permanent office accommodation, if any, will have significant resources implications and will be processed in accordance with the prevailing funding mechanism. All relevant factors for considering a funding proposal will be taken into account.

2. The two public bodies, namely the PCPD and the Equal Opportunities Commission, under the policy purview of this Bureau do not have permanent office accommodation. We do not hold relevant information about the accommodation situation of all other public-funded bodies.

Signature _____

Name in block letters _____

Post Title _____

Date _____

JOSHUA LAW

Permanent Secretary for

Constitutional and Mainland Affairs

9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB10

Question Serial No.

S015

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 : Reply Serial No. CMAB107 refers. Regarding the complementary work of the HKSAR in relation to the preparation of the National 12th Five-Year Plan, I would like to raise the following follow-up question:

It is mentioned in the reply that “the Bureau as a whole and the HKSAR Beijing Office will have sufficient staff and other resources which will be involved in promoting the complementary work of the HKSAR Government in relation to the preparation of the Plan.” In this connection, how many posts are expected to be created and what is the expenditure involved?

Asked by : Hon. WONG Kwok-hing

Reply :

In 2010-11, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to co-ordinate the efforts of the Hong Kong Special Administrative Region (HKSAR) Government to complement the preparation of the National 12th Five-Year Plan (the Plan). In this regard, the CMAB has earmarked about \$240,000 for the purpose. The HKSAR Beijing Office will also continue to facilitate the relevant liaison work with the Mainland authorities. There is no plan to create additional posts in connection with the preparation of the Plan. We will closely keep in view development of the subject and deploy, as necessary, sufficient staff and other resources from existing provision to ensure that the task will be carried out smoothly.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 9 April 2010

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CMAB11

Question Serial No.

S002

Head : 163: Registration and Electoral
Office

Subhead (No. & title) : 000

Operational
expenses

Programme : Electoral Services

Controlling Officer : Chief Electoral Officer

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : This is a follow-up question to Questions 1555 and 1556.

- (a) Please give a detailed account of the expenses made in 2009-10, the items, work, activities and the amounts involved.
- (b) Please provide a list of the 20 time-limited civil service posts to be seconded by the respective heads of grades, the periods of redeployment and expenses involved.
- (c) Please provide a further breakdown of the \$15 million provision to be spent on the 260 non-civil service contract staff and give details of the work, time period and expenses involved.
- (d) Please provide a further breakdown of the \$45.6 million provision and give details of the number of staff and period of time involved.
- (e) Please provide a further breakdown of the \$59.3 million provision earmarked for the hiring of venue, acquisition of polling equipment/materials and transportation.

Asked by : Hon. EU Yuet-mee, Audrey

Reply :

- (a) The total estimated expenditure for the 2010 LegCo by-election is \$159 million, of which around \$12 million will be absorbed within the provision for the REO in 2009-10 and \$147 million will be incurred in 2010-11.

The expenses incurred in 2009-10 mainly concern the engagement of civil servants and NCSC staff to assist in the conduct of preparatory work such as the setting up of temporary offices, identification of polling stations and recruitment of polling and counting staff. The detailed breakdown is provided below –

Items	<u>2009-10</u> \$ Million
(1) Staff Cost	
- time-limited civil service posts	4
- non-civil service contract (NCSC) staff	6
(2) Election Expenses	2
(for the conduct of preparatory work such as the setting up of temporary offices)	
<hr/>	
Total	12

(b) The Registration and Electoral Office will be engaging around 20 Executive Officer grade and Information Officer grade staff for a period of six to nine months to assist in the preparation and conduct of the 2010 LegCo by-election. The Director of General Grades and the Director of Information Services (the Heads of Grades concerned) will be redeploying their staff from various government departments to fill these time-limited civil service posts. The estimated expenditure to be incurred in 2009-10 and 2010-11 is \$4 million and \$6 million respectively.

(c) The Registration and Electoral Office will be engaging over 260 NCSC staff to take up the posts including Electoral Assistant, General Assistant and Temporary Worker for a period of six to nine months. The major duties of the additional civil servants and NCSC staff are –

- (1) to identify and designate sufficient number of suitable venues as polling-cum-counting stations;
- (2) to recruit and train approximately 15,000 civil servants as polling-cum-counting staff;
- (3) to arrange for the printing of ballot papers and other election-related documents;
- (4) to acquire materials/items for use in the polling-cum-counting stations and formulate detailed logistic arrangements;
- (5) to handle election-related enquiries and complaints;
- (6) to process election expenses return and claim for financial assistance; and
- (7) to compile the election report.

The estimated expenditure for the NCSC staff to be incurred in 2009-10 and 2010-11 is \$6 million and \$15 million respectively.

(d) In 2010-11, a provision of \$45.6 million is earmarked for the payment of honorarium to polling and counting staff. It is estimated that around 15,000 electoral staff of various posts including Presiding Officer, Deputy Presiding Officer, Assistant Presiding Officer, Polling Officer, Polling Assistant will be recruited to carry out the polling and vote-counting duties on polling day and to assist in the setting up of polling stations on the day before polling day.

- (e) A breakdown of the \$59.3 million provision earmarked for electoral arrangements in 2010-11 is provided below –

Electoral Arrangements	\$ Million
(1) Hiring of venues (including rental, electricity, telephone and fax lines, cleansing, security, etc.)	19.2
(2) Transportation	3.8
(3) Acquisition of equipment/materials/services	3.6
(4) Others (including printing of election-related items such as ballot papers, poll cards, poll registers, introductory leaflets, operating expenses for temporary offices, etc.)	32.7
<hr/> Total	<hr/> 59.3

Signature _____

Name in block letters TING TSUI Wai-ming, Vivian

Post Title Chief Electoral Officer

Date 9 April 2010