

**Replies to initial written questions raised by Finance
Committee Members in examining the Estimates of Expenditure 2012-13**

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Session No. : 3

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**Replies to initial written questions raised by Finance
Committee Members in examining the Estimates of Expenditure 2012-13**

**Director of Bureau : Secretary for Constitutional and Mainland Affairs
Session No. : 3**

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What is the total number of Economic and Trade Offices (ETOs) in the Mainland at present? What is the annual expenditure in the recent 3 financial years respectively? Is there any plan to further set up ETOs in the Mainland in this financial year? If yes, please provide details and the estimated expenditure.

Asked by : Hon. CHEUNG Hok-ming

Reply :

Currently, there are three ETOs in the Mainland, namely the Guangdong ETO, Shanghai ETO and Chengdu ETO. There are also three liaison units established in Shenzhen, Fujian and Chongqing (the first two are under the Guangdong ETO, the third one is under the Chengdu ETO). Besides the ETOs, there is Beijing Office. The Government does not have any plan to establish new ETOs in the Mainland in 2012-13.

2. The total actual expenditure of the above Mainland Offices under Programme (3) in the past three financial years is shown in the table below:

Financial year	Total actual expenditure(\$ million)
2008-09	113.1
2009-10	113.3
2010-11	114.9

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : With respect to complaints related to personal data privacy under this Programme, the number of cases received in 2011 is 1 486. However, there are only 32 cases in which warning notices are issued and 12 cases referred to prosecution. What are the reasons for such a marked difference between the figures of complaints received and complaints handled? What are the manpower input and funding for handling complaint cases in 2012? How do they compare with the actual provision in 2011?

Asked by : Hon. TAM Wai-ho, Samson

Reply :

In 2011, the Office of the Privacy Commissioner for Personal Data (PCPD) completed investigations into 1 450 complaint cases. The main reasons for the difference between this number and the number of warning notices issued (32) and cases referred to prosecution (12) in 2011 are as follows:

- (a) 139 cases were outside the purview of the Personal Data (Privacy) Ordinance (Cap. 486);
- (b) 247 cases were found to have no prima facie case;
- (c) 449 cases involved mostly complaints in which the complainants did not respond to enquiries from the PCPD;
- (d) 125 cases were withdrawn by the complainants during enquiries;
- (e) 215 cases were found to be unsubstantiated after enquiries with the parties being complained against; and
- (f) 176 cases were resolved after remedial/follow-up actions taken by the complainees during the enquiry stage.

2. In 2011-12, the complaint cases were handled by 20 officers (2 Chief Personal Data Officers, 6 Senior Personal Data Officers, 8 Personal Data Officers and 3 Assistant Personal Data Officers, and 1 Legal Counsel). To take forward enforcement work and implementation work relating to the Personal Data (Privacy) (Amendment) Bill 2011 upon its enactment by the Legislative Council, an additional \$3.6 million has been earmarked for the PCPD from 2012-13 on a recurrent basis for the creation of 5 additional posts (1 Senior Legal Counsel, 1 Legal Executive, 1 Senior Personal Data Officer and 2 Personal Data Officer posts).

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : With respect to the development of Qianhai and Lok Ma Chau Loop, please advise on the resource input from the Shenzhen Liaison Unit established under the Guangdong Economic and Trade Office in this financial year for taking forward the related work. Please provide details of the work plan.

Asked by : Hon. CHEUNG Hok-ming

Reply :

The Economic and Trade Office in Guangdong (GDETO) has earmarked \$3.1 million for the operation of the Shenzhen Liaison Unit (SLU) in 2012-13, including staff costs.

2. The roles and functions of the SLU include:

- (a) liaising with relevant Shenzhen authorities to enhance co-operation between Hong Kong and Shenzhen;
- (b) facilitating liaison on co-operation between Hong Kong and Shenzhen in the promotion of service industries in Qianhai and other new initiatives;
- (c) providing support to Hong Kong enterprises in Shenzhen; and
- (d) handling enquiries and requests for assistance from Hong Kong residents in Shenzhen.

3. SLU will continue to help facilitate cooperation between Hong Kong and Shenzhen in respect of the development of Qianhai and Lok Ma Chau Loop in the coming year.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 specific publicity activities have the Administration organised to promote the Basic Law in the past 5 years? What is the expenditure involved? What is the effectiveness of the initiatives? What are the Administration's objectives in promoting the Basic Law? How is public understanding of the Basic Law enhanced?

Asked by : Hon. LEUNG LAU Yau-fun, Sophie

Reply :

Since the establishment of the Hong Kong Special Administrative Region, we have made use of a variety of channels to promote the Basic Law. These include TV and radio programmes, seminars, roving exhibitions, on-line games, etc. We have been adopting the following three promotional strategies:

- (a) Firstly, using the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, as well as the principle of "One Country, Two Systems". TV drama, documentary, game shows, Announcements in the Public Interest, online games and radio quiz shows were produced.
- (b) Secondly, enhancing 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.
- (c) Thirdly, strengthening co-operation with community organisations in staging promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks.

2. The related expenditure for the Basic Law promotional activities in 2007-08 was about \$5.97 million. Since 2008-09, we have stepped up the effort in enhancing public understanding of the Basic Law and have allocated additional resources to this area. The expenditure involved in 2008-09, 2009-10 and 2010-11 was about \$15.3 million, \$15.1 million and \$15.7 million respectively. In 2011-12, the Constitutional and Mainland Affairs Bureau has set aside \$16 million for organising and sponsoring over 20 Basic Law promotional activities.

3. The promotional programmes have reached a wide cross-section of the community. For example, the Basic Law episodes broadcast on TV in 2011-12 yielded an average viewership of over 1 000 000 people per episode. The Basic Law quiz programmes on radio also reached a very wide audience.

4. Our latest assessment shows that vast majority of the general public are aware of the Basic Law at varying degrees. Most people have learnt about the content of the Basic Law through news and publicity programmes, as well as Government Announcements in the Public Interest on television and radio. We will continue to take into account the public feedback and level of participation in the activities organised in mapping out the Basic Law promotion and publicity plan.

5. We will also continue to focus on promoting the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong's implementation of "One Country, Two Systems", "Hong Kong people administering Hong Kong" and high degree of autonomy principles.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 pointed out in Matters Requiring Special Attention in 2012-13 that the Government will continue to participate in regional privacy developments having impact on cross-border data protection. Please advise on last year's manpower and resource input for such work. What substantive work will be carried out in 2012-13? What will be the estimated manpower input and funding for such work?

Asked by : Hon. TAM Wai-ho, Samson

Reply :

In 2012-13, the Privacy Commissioner for Personal Data (PCPD) will continue to participate in regional privacy developments having impact on cross-border data protection. These include participation in the work of the Data Privacy Subgroup of the Electronic Commerce Steering Group of the Asia Pacific Economic Cooperation (APEC) which will focus on implementation of the Cross-Border Privacy Rules system, the APEC Cross-Border Privacy Enforcement Arrangement, and the Asia Pacific Privacy Authorities.

2. For 2012-13, the PCPD has set aside a provision of \$300,000 for participation in the above activities. The corresponding expenditure in 2011-12 was \$280,000. The Privacy Commissioner and the Chief Legal Counsel attended the relevant meetings in 2011-12 and they will continue to participate in the relevant meetings in 2012-13. The staff costs involved are absorbed in the staff costs of the PCPD and no separate breakdown is available.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 facilitating the promotion of public awareness and understanding of the Basic Law in 2011-12:

(a) Please show the specific effectiveness by using the table below:

Promotional activities	Number of Promotional activities organised	Details of individual activities (expenditure involved, number of the public reached etc.)
Electronic media		
Activities at district level		
Co-operation with community organisations		

(b) Has the Administration assessed whether members of the public have a better awareness of the Basic Law after they have attended/participated in the above promotional activities? If yes, what are the details? If not, what are the reasons?

Asked by : Hon. LEUNG Yiu-chung

Reply :

Since the establishment of the Hong Kong Special Administrative Region, we have made use of a variety of channels to promote the Basic Law. These include TV and radio programmes, seminars, roving exhibitions, on-line games, etc. We have been adopting the following three promotional strategies:

(a) Firstly, using the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, as well as the principle of “One Country, Two Systems”.

(b) Secondly, enhancing public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at district levels.

(c) Thirdly, strengthening co-operation with community organisations in staging promotional activities in order to reach a wider audience through their extensive community networks.

2. In 2011-12, the Constitutional and Mainland Affairs Bureau has continued to set aside \$16 million for organising and sponsoring Basic Law promotional activities. The relevant details are set out in the table below:

Promotional activities	Number of promotional activities organised	Details
Electronic media	10	Activities and projects organised include the production of TV dramas, radio quiz shows, online games, Announcements of Public Interests. The expenditure involved is about \$7.91 million.
Activities at district level	6	Activities and projects organised include roving shows, carnival and school promotion tour. The expenditure involved is about \$5.23 million.
Co-operation with community organisations	6	Activities and projects organised include inter-school competitions and seminars. The expenditure involved is about \$1.23 million.

3. Apart from the above activities, we have provided about \$1.6 million for other publicity materials and necessary administrative support for the promotion of the Basic Law.

4. The promotional programmes named above reached a wide cross-section of the community. For example, the Basic Law episodes broadcast on TV yielded an average viewership of over 1 000 000 people per episode. The Basic Law quiz programmes on radio also reached a very wide audience. These programmes have enhanced the participants' knowledge in the Basic Law. Our latest assessment shows that vast majority of the general public are aware of the Basic Law at varying degrees. Most people have learnt about the contents of the Basic Law through news and publicity programmes, as well as Government Announcements in the Public Interest on television and radio. We will continue to take into account the public feedback and level of participation in the activities organised in mapping out the Basic Law promotion and publicity plan.

5. We will also continue to focus on promoting the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong's implementation of "One Country, Two Systems", "Hong Kong people administering Hong Kong" and high degree of autonomy principles.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 both the 2011-12 and 2012-13 Estimates that (one of the aims of this programme is) “to facilitate the implementation of ‘One Country, Two Systems’ principle and demonstrate its success”. Please advise on the specific efforts made in the past financial year in respect of the above work, including the expenditure and manpower involved, as well as the detailed work plan for the coming financial year, including the estimated expenditure and manpower input.

Asked by : Hon. LEUNG Yiu-chung

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) is committed to facilitating the implementation of the principle of “One Country, Two Systems” through, inter alia, the following:

- (a) rolling forward the constitutional development in Hong Kong in accordance with the Basic Law;
- (b) working closely with the Electoral Affairs Commission to make practical arrangements to ensure that various levels of election in Hong Kong and associated electoral arrangements are conducted in a fair, open and honest manner in accordance with the relevant legislation; and
- (c) coordinating and promoting closer ties and cooperation with the Mainland, including the implementation of various regional co-operation initiatives between Hong Kong and the Mainland.

2. CMAB will continue to implement initiatives in relation to electoral arrangements, co-operation between Hong Kong and the Mainland and the Basic Law in 2012-13. The resources involved are included under various programmes of “Head 144 GS: Constitutional and Mainland Affairs Bureau” and cannot be singled out.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 stated in Matters Requiring Special Attention in 2012-13 that the Bureau will “continue to promote equal opportunities for people of different sexual orientations through various publicity and educational measures”. What are the specific efforts made in the past financial year in respect of the above work, the expenditure incurred on related activities and projects, as well as the work plan for the coming financial year and estimated expenditure?

Asked by : Hon. LEUNG Yiu-chung

Reply :

The Government promotes equal opportunities for people of different sexual orientation and transgendered persons through the work of the Gender Identity and Sexual Orientation Unit (the Unit). The work in 2011-12 includes:

- (a) sponsoring worthwhile community projects through the Equal Opportunity (Sexual Orientation) Funding Scheme (the Scheme);
- (b) maintaining a hotline for enquiries and complaints on issues relating to sexual orientation and gender identity; and
- (c) organising publicity and education programmes.

2. In 2012-13, the Unit will continue to sponsor worthwhile community projects through the Scheme, maintain the hotline, and organise various publicity programmes (such as open competition on promotion materials) to further promote equal opportunities for sexual minorities.

3. The expenditure for the above activities (including the staff cost of the Unit) in 2011-12 is \$1.63 million. The corresponding estimated expenditure in 2012-13 is \$1.84 million.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 public opinion surveys on subjects such as constitutional matters conducted by the Administration, please list out in detail the surveys conducted in the past financial year, including the title and topic of, the amount of money spent on and consultancy institution engaged for each project. Please also advise on the surveys planned to be conducted in the coming financial year and the estimated expense of each project. If the Administration is unwilling to make public the information, what are the reasons?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Central Policy Unit regularly conducts internal studies and commissions academic and commercial research institutes to carry out opinion polls on different public policy issues. The findings are for Government's internal reference. We generally will not make public information relating to these internal studies and polls.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 exercise on the introduction of a replacement mechanism for filling vacancies in the Legislative Council, please advise on the expenditure involved and manpower arrangement from the mapping out stage up to present.

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

This Bureau has earmarked \$1.5 million in 2011-12 for conducting the public consultation on arrangements for filling vacancies in the Legislative Council and for announcing the consultation results, which covers printing of consultation papers, consultation reports, leaflets and posters, production of announcements in the public interest on the radio and TV, and organisation of public forums, etc.

2. Other work in taking forward the arrangements for filling vacancies in the Legislative Council has been absorbed by the existing manpower resources within the Government.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 abolition of all District Council (DC) appointed seats, please provide a holistic work plan, including when the consultation exercise will commence. Will the Administration review the proposal of abolishing the seats in phases, and draw up an alternative option on the immediate abolition of all DC appointed seats?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

We issued the Consultation Paper on the District Council (DC) Appointment System on 20 February 2012 to invite public views by 20 April 2012 on how to abolish the remaining 68 appointed seats of the DCs. Whilst the Administration acknowledges the important role played by the appointed members in district administration, the Administration's inclination is to abolish the remaining 68 seats over one term. In other words, starting from the fifth term of the DCs which will commence operation on 1 January 2016, there will be no appointed seats. This is more compatible with the steps Hong Kong has taken in constitutional development. The Administration will collate the public views collected during the public consultation and analyse them for the next term of Government to decide on the way forward.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 : Do the Constitutional and Mainland Affairs Bureau and the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (Liaison Office) have any working contact in 2011? If yes, please set out the number and places of, and attendance at meetings, matters discussed at each meeting and the actual expense of each meeting.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government of the Hong Kong Special Administrative Region maintains communication with the relevant departments of the Central Authorities under the framework of "One Country, Two Systems", with a view to enhancing the mutual understanding and exchanges between Hong Kong and the Mainland.

2. We do not consider it appropriate to disclose specific details of such deliberations which are mostly confidential and internal by nature.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : As mentioned under “Brief Description”, (one of the responsibilities of these offices is) “to take necessary actions with the CPG ministries and governments of the provinces/regions/municipalities in the Mainland, and with relevant authorities and organisations in Taiwan on specific issues on the basis of the instructions of the relevant bureaux and departments of the Government of the HKSAR.” In this regard, please set out, in table form, the specific issues that have been followed up in 2011 and the names of departments or organisations in the Mainland and Taiwan with which the offices have liaised.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

One of the responsibilities of the Mainland Offices in 2011 under programme (3) is to take necessary actions with the ministries of the Central People's Government (CPG) and governments of the provinces/regions/municipalities in the Mainland on specific issues on the basis of the instructions of the relevant bureaux and departments of the Government of the Hong Kong Special Administrative Region (HKSAR). Details of the above work undertaken by the Mainland Offices in 2011 are set out in the table below:

	Issues	Relevant Mainland Authorities
Liaison with ministries of the CPG	The Beijing Office is responsible for maintaining close contacts with the CPG ministries. In 2011, they have assisted in liaising on various issues, including those related to The National 12 th Five-Year Plan, Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA), development on Qianhai and Nansha, restructuring and upgrading of processing trade, and Mainland legislation (such as the Social Insurance Law) etc.	The relevant ministries of the CPG liaised include the National Development and Reform Commission, the Ministry of Commerce, the General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, and Ministry of Human Resources and Social Security etc.
Liaison with governments of the provinces/ regions/ municipalities in the Mainland	The Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu are responsible for liaising with the governments of the provinces/regions/ municipalities in their service areas. In 2011, they have assisted in liaising on various issues at the local government level, including those related to the implementation of the National 12 th Five-Year Plan, implementation of CEPA, HKSAR's work in support of reconstruction in Sichuan, economic and trade cooperation between Hong Kong and the concerned provinces/regions/ municipalities (such as cooperation with Guangdong, Shenzhen, the Pan Pearl River Delta provinces/regions, Beijing and Shanghai), investment promotion, transformation and upgrading of the processing trade, setting	The Mainland Offices assisted in liaising with the relevant offices and departments of the local governments concerned, such as the Hong Kong and Macao Affairs Office, Foreign Affairs Office, Commerce Department, Bureau of Foreign Trade and Economic Cooperation, Department of Foreign Trade and Economic Cooperation, China Council for the Promotion of International Trade, Development and Reform Commission, the Shenzhen Qianhai Management Authority and Department of Human Resources and Social Security etc.

	up of the Chongqing and Fujian Liaison Units, development of Qianhai and Nansha, Mainland legislation (such as the Social Insurance Law) etc.	
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Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please set out the respective actual and expected number of visits to Mainland/Taiwan authorities and trade organisations in 2010, 2011 and 2012.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

One of the roles of the Mainland Offices and the Hong Kong Economic, Trade and Cultural Office (HKETCO) is to promote Hong Kong's commercial relations in the Mainland and Taiwan. In performing this role, they have been keeping close contact with the Mainland /Taiwan authorities and trade organisations. The actual and expected number of visits to these authorities and trade organisations in 2010, 2011 and 2012 is as follows:

	2010		2011		2012*
	(Estimate)	(Actual)	(Estimate)	(Actual)	(Estimate)
Visits to Mainland/ Taiwan authorities and trade organisations	470	475	480	463	500

* Starting from 2012, the figure also covers the HKETCO in Taiwan upon its establishment in December 2011.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What are the respective estimated expenses for setting up dedicated liaison units in Chongqing and Fujian in 2012-13?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Chongqing Liaison Unit and Fujian Liaison Unit commenced operation in January and February 2012 respectively in temporary offices in Chongqing and Fuzhou. In 2012-13, we have tentatively allocated \$9.6 million for the Chongqing Liaison Unit and \$9.7 million for the Fujian Liaison Unit in 2012-13. The above figures have included staff costs and a one-off setting up cost of \$4.5 million for each Liaison Unit.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 provision been earmarked in the 2012-13 Budget for studying the establishment of a “statutory human rights commission” and a “human rights resource centre”?

Asked by : Hon. HO Chun-yan, Albert

Reply :

In Hong Kong, human rights are fully protected by law. The legislative safeguards are enshrined in the Basic Law, the Hong Kong Bill of Rights Ordinance and other relevant ordinances. These are buttressed by the rule of law and an independent judiciary. There is also an existing institutional framework of organisations which help promote and safeguard different rights, including the Equal Opportunities Commission, the Privacy Commissioner for Personal Data, The Ombudsman, and the legal aid services. The Administration's performance in promoting and safeguarding human rights is open to scrutiny through regular reports to the United Nations and is under the constant scrutiny of the Legislative Council, the media and various human rights non-government organisations. The Administration considers that the existing mechanism has worked well and that there is no obvious need for establishing a statutory human rights institution or resource centre to duplicate the functions of or supersede the existing mechanism. No provision has been earmarked for conducting a study on this issue.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 out the expenditure items, organisers and target groups of the events for the promotion of Basic Law in 2011-12 as well as the expenditure estimated for the promotion of Basic Law in 2012-13 and the main areas of activities. Is there any dedicated staff under the Constitutional and Mainland Affairs Bureau to understand the work and budget of other government departments for the promotion of Basic Law through channels like school education, community activities and other publicity activities? If yes, what is the rank of the responsible officer? What is the total expenditure incurred by various government departments on the promotion of Basic Law in 2011-12?

Asked by : Hon. HO Chun-yan, Albert

Reply :

Over the years, the Government has been promoting the Basic Law through civic education, school education and training for civil servants. The Basic Law Promotion Steering Committee (BLPSC) has been set up to provide the necessary steer on the overall programme and strategy for promoting the Basic Law. Based on the steer of the BLPSC and its working groups (namely local community; teachers and students; civil servants; industrial, commercial and professional sectors; and overseas community working groups), relevant bureaux/departments, such as the Home Affairs Bureau, Civil Service Bureau and Trade and Industry Department, assist in organising related promotional activities in their respective sectors. The Constitutional and Mainland Affairs Bureau (CMAB) provides secretariat support to the BLPSC and assists in overseeing the implementation of these promotional efforts. Under the supervision of senior management, the relevant tasks are handled by one directorate officer at D2 level and one Senior Administrative Officer, among other duties.

2. In 2011-12, the CMAB set aside \$16 million for the promotion of the Basic Law. Over 20 Basic Law promotional activities were implemented based on the following three promotional strategies:

- (a) Firstly, using the electronic media as our key publicity channel to introduce the more macro and concrete aspects of the Basic Law to the general public, as well as the principle of “One Country, Two Systems”. Some \$7.91 million was provided for the production of TV drama, Announcements in the Public Interest, online games and radio quiz shows.
- (b) Secondly, enhancing 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 \$5.23 million was provided for this purpose.
- (c) Thirdly, strengthening the co-operation with community organisations in staging promotional activities, such as seminars and competitions, in order to reach a wider audience through their extensive community networks. Some \$1.23 million was used in this area.

3. In addition, we have provided about \$1.6 million for other publicity materials and necessary administrative support for the promotion of the Basic Law.

4. In 2012-13, the CMAB has set aside \$16 million for promoting the Basic Law. The CMAB will continue to focus on promoting the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong’s implementation of “One Country, Two Systems”, “Hong Kong people administering Hong Kong” and high degree of autonomy principles. The BLPSC and its workings groups will continue to provide the necessary steer on the overall programme and strategy for promoting the Basic Law.

5. In 2011-12, the Government has set aside a total provision of some \$20 million (including those set aside by the CMAB) for the promotion of the Basic Law.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : How much provision has the Government set aside for the follow-up work with the relevant Mainland authorities with respect to the preparation of the National Five-Year Plan under the principle of “One Country, Two Systems”? What is the related work conducted in the past financial year? What is the expenditure involved? How can the Government ensure that the work will be accomplished under the principle of “One Country, Two Systems”?

Asked by : Hon. HO Chun-yan, Albert

Reply :

The National 12th Five-Year Plan (the Plan) promulgated in March 2011 has unprecedentedly included a dedicated chapter on the Hong Kong and Macao Special Administrative Regions (the Dedicated Chapter). In August 2011, Vice Premier of the State Council, Mr LI Keqiang, visited Hong Kong and further announced a series of more than 30 concrete policies and measures of the Central People's Government under the Plan to support Hong Kong in further developing and deepening co-operation with the Mainland (the New Supporting Policies and Measures). The Dedicated Chapter and the New Supporting Policies and Measures highlight the important functions and positioning of Hong Kong in the national development strategy, map out the direction of co-operation between the Mainland and Hong Kong during the Plan period, and provide a solid policy framework for the coming implementation work of the Hong Kong Special Administrative Region (HKSAR).

2. In 2011-12, the Constitutional and Mainland Affairs Bureau (CMAB) has assisted in the following areas relating to the HKSAR's work to complement the Plan:

- (a) assisting the relevant bureaux and departments in implementing the specific areas mentioned in the Plan and the New Supporting Policies and Measures, and monitoring the progress;
- (b) liaising with the relevant Mainland authorities, particularly the National Development and Reform Commission;
- (c) taking forward various regional co-operation initiatives, particularly the implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation;
- (d) offering advice to the Shenzhen Municipal Government and Guangzhou Municipal Government on promoting the development of Qianhai and Nansha; and
- (e) coordinating with the relevant Mainland Offices to conduct relevant research and studies on the related areas as necessary.

In 2012-13, we will continue our work in the above-mentioned areas.

3. About \$5.5 million has been earmarked in 2012-13 for the CMAB and the Mainland Offices to promote co-operation between Hong Kong and the Mainland, including Pan-Pearl River Delta co-operation, implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, Qianhai and Nansha development, as well as the implementation of the Plan. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose. In 2011-12, the expenditure involved for CMAB and the Mainland Offices to take forward the above initiatives is about \$5.9 million.

4. The HKSAR Government's work to complement the National Five-Year Plan has all along been conducted under the "One Country, Two Systems" principle. Hong Kong will continue to enjoy a high degree of autonomy, and the protections under the Basic Law will not be compromised.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : What is the total number of employees under the establishment of the Equal Opportunities Commission (EOC)? What are their salaries? Of the provision earmarked for the EOC, how much of it is used for public education purposes? What are the items involved? Is the funding to the EOC adequate? In the past three years, has the EOC ever declined to assign speakers to speak at education and training forums including weekly assemblies, seminars or workshops organised by private or public organisations such as schools, or to provide any other forms of assistance to such organisations on grounds of shortage of resources? Has the EOC ever declined to provide assistance to public or private organisations in their formulation of equal opportunities policies on grounds of shortage of resources? Please provide the relevant figures.

Asked by : Hon. HO Chun-yan, Albert

Reply :

As at 1 February 2012, there were 84 staff in the Equal Opportunities Commission (EOC). The EOC's expenditure on salary in 2011-12 is estimated to be \$42.25 million.

2. The EOC plans to set aside about \$24.31 million (including manpower expenditure) for promotion, publicity and education activities in 2012-13. The major ones include:

- (a) thematic campaigns on accessibility and other equality issues;
- (b) multi-media campaigns: TV docu-drama and radio programmes, EOC website, EOC YouTube Channel and Facebook Pages;

- (c) business campaigns: EO Club and outreach to small and medium enterprises;
- (d) youth campaigns: drama performances in primary and secondary schools, mentorship and empowerment programmes such as Career Challenge and Uniquely Me, photo competition and video competition;
- (e) public campaigns: TV and radio announcements in the public interest (APIs), advertisements on MTR and buses and roving exhibitions;
- (f) community programmes: Community Participation Funding Programme and collaborative partnership projects;
- (g) publications and resources: promotional posters, booklets and leaflets, EOC's newsletters, e-News and annual reports, online training modules and liberal studies teaching kit etc.; and
- (h) media campaigns: media interviews and releases, press conferences and briefings.

3. In addition to the above programmes, the EOC provides training and consultancy services, including talks, training packages, tailor-made workshops and consultancy service on equal opportunities policies for different sectors, such as government departments, public bodies, private companies, labour unions, non-government organisations, schools and tertiary institutes.

4. With the availability of resources, the EOC has offered the above services to clients on mutually convenient arrangements, without declining any of their requests on grounds of shortage of resources.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : What is the total number of employees under the establishment of the Office of the Privacy Commissioner for Personal Data (PCPD)? How are they remunerated? Of the provision earmarked for the PCPD, how much of it is used for public education purposes? What are the items involved? Is the funding to the PCPD adequate? Has the PCPD ever declined to assign speakers to speak at education and training events organised by private or public organisations, or to provide any other forms of assistance to such organisations on grounds of shortage of resources? Has the PCPD ever declined to provide assistance to public or private organisations in their formulation of privacy policies on grounds of shortage of resources? Please provide the relevant figures. Please also provide the budget for, details and progress of the Data User Returns Scheme.

Asked by : Hon. HO Chun-yan, Albert

Reply :

As at end January 2012, there were 71 staff in the Office of the Privacy Commissioner for Personal Data (PCPD). The expenditure on salary in 2011-12 is estimated to be \$35.5 million.

2. The PCPD plans to set aside about \$2.3 million for promotion, publicity and education activities in 2012-13. Major activities include:

- (a) a one-day “Privacy by Design” Conference;
- (b) a six-episode TV docu-drama series;

- (c) Student Ambassador Programme – a learning process provided for secondary school students to foster a culture of respect for personal data privacy;
- (d) an industry-wide privacy campaign for a targeted industry;
- (e) Privacy Awareness Week 2012 – an annual regional promotional event;
- (f) activities for Data Protection Officers' Club members, including regular meetings, introductory seminars, discussion sessions and visits;
- (g) participation in the Education & Careers Expo 2013;
- (h) University Privacy Days - on-campus promotion of privacy and data protection to staff and students of the universities in Hong Kong;
- (i) professional workshops on data protection – a series of professional workshops tailored for the needs of executives dealing with personal data; and
- (j) public seminars on topical issues, e.g. proper use of technology in daily life.

In addition, a range of promotional and educational activities on the new provisions in the Personal Data (Privacy) Ordinance to be amended will be held to enhance understanding of the public and the relevant sectors/industries. Various means and channels will be used including guidance notes, information leaflets, public seminars, as well as direct communication with relevant professional bodies and through press conferences, press briefings etc.

3. The PCPD strives to accommodate all requests for assistance from public and private sector organisations in their educational and training programmes as well as in formulating privacy policies. The extent of assistance depends on individual circumstances, having regard to factors such as timing of the events and modes of assistance. The PCPD also organises public seminars and makes available train-the-trainers training materials. In 2011, the PCPD organised 16 major promotional activities, one industry-specific privacy campaign with the telecommunications industry and 264 talks, seminars and workshops.

4. The PCPD issued the Data User Returns Scheme (DURS) Consultation Document in mid 2011 to the industries proposed to be included in the first phase of the DURS, namely, the public sector, the banking, telecommunications and insurance industries. A total of five briefing sessions were conducted for these sectors. The PCPD will continue to work with these industries with a view to early implementation of the scheme.

5. The estimated provision for the PCPD for 2012-13 includes \$1.1 million for one Senior Personal Data Officer post to study the implementation arrangements for the DURS. Other relevant staff are also involved in the work on this subject as part of their duties.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 shown in the Equal Opportunities Commission (EOC) indicators under this programme, of the 125 self-initiated investigation cases processed by the Commission in 2011, only 111 cases have been resolved. Would the Administration advise on:

- (a) the present position of the remaining 14 cases?
- (b) how are the 111 cases resolved?
- (c) why has there been no self-initiated investigation case taken to court in 2010 and 2011?

Asked by : Hon. CHAN Wai-yip, Albert

Reply :

- (a) In 2011, the Equal Opportunities Commission (EOC) initiated investigation into 125 cases of possible breach of anti-discrimination ordinances. By the end of 2011, investigation on 111 of these cases had been concluded and 14 cases were outstanding. As at 10 February 2012, investigation into 6 of the outstanding 14 cases had been concluded. The EOC is still investigating the remaining 8 cases.
- (b) The outcome of investigation for the 117 cases (i.e. 111 cases concluded in 2011 and 6 cases concluded up to 10 February 2012) is as follows :

No unlawful act found upon further fact finding, and no further action necessary	71 cases
No unlawful act found upon further investigation taking into account explanations provided by relevant parties, or rectification made by relevant parties	46 cases

- (c) In 2010 and 2011, after investigation by the EOC on the self-initiated investigation cases, none of them was found to warrant court action, and therefore no such case was taken to court.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

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

Question : Regarding (ii) immigration-related matters under this programme, it is stated that the aim is to provide practical assistance to Hong Kong residents in distress or seeking assistance in the Mainland. In this connection, would the Administration:

- (a) set out in table form the number of assistance cases received by the Mainland Offices, the nature of these cases, the number of cases resolved and being followed up in each of the past 3 financial years (i.e. 2009-10, 2010-11 and 2011-12).
- (b) set out in table form the number of visits conducted by officials of the Mainland Offices to Hong Kong residents imprisoned by the Mainland authorities without going through legal proceedings in each of the past 3 financial years (i.e. 2009-10, 2010-11 and 2011-12).

Asked by : Hon. CHAN Wai-yip, Albert

Reply :

- (a) In 2009, 2010 and 2011, the Immigration Divisions of the Beijing Office (BJO) and the Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO) received respectively 601, 357 and 501 requests for assistance from Hong Kong residents in distress in the Mainland. The breakdown is set out below. As the nature of the cases varies, further breakdown on the basis of whether the cases have been resolved is not practicable.

Category		Number of Requests Received					
		2009		2010		2011	
		BJO	GDETO	BJO	GDETO	BJO	GDETO
a.	Loss of travel documents or monies	37	5	58	4	62	8
b.	Persons in danger, involved in traffic accidents, injured or whose relatives have passed away in the Mainland	401	123	88	180	165	244
c.	Detention	8	27	13	14	5	17
Total :		446	155	159	198	232	269

- (b) The Immigration Divisions of the Beijing Office and Guangdong ETO will provide practical assistance to Hong Kong residents detained in the Mainland upon request. Officers of the above offices do not have the rights and powers of visiting the detainees in the Mainland under the relevant Mainland laws and regulations. The practical assistance they may provide to the assistance seekers includes providing information on relevant Mainland laws, regulations and procedures; advising on their right to appoint legal representatives; providing contact details of local law societies; and reflecting their views and requests to the relevant Mainland authorities.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 and Taiwan 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 consultancy studies (if any) commissioned by the Constitutional and Mainland Affairs Bureau and its departments for the purpose of formulating and assessing policies, please provide information in the following format.

- (a) Using the table below, please provide information about studies on public policy and strategic public policy for which funds had been allocated between 2009-10 and 2011-12 -

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Consultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
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- (b) Are there any projects for which funds have been reserved for conducting consultancy studies in 2012-13? If yes, please provide the following information -

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Consultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	For the projects that are expected to be completed in 2012-13, is there any plan to make them public? If yes, through what channels? If no, why?
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- (c) What are the criteria for considering the award of consultancy projects to the research institutions concerned?

Asked by : Hon. HO Sau-lan, Cyd

Reply :

Regarding the consultancy studies commissioned by the Constitutional and Mainland Affairs Bureau (CMAB) for the purpose of formulating and assessing policies, the relevant information is provided below -

(a) For studies on public policy and strategic public policy for which funds had been allocated between 2009-10 and 2011-12-

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
The Institute of Hong Kong, Macao & Special Economic Zone's Economy, Jinan University	Selection of quotation based on the criteria at (c) below	<p>A Study on the Strategy for the Cooperation of Hong Kong / Guangdong Service Industries under the "Early and Pilot" measures</p> <p>To explore the development trend of Hong Kong's service industries in Guangdong and select individual service industries which can be further promoted in Guangdong</p>	RMB 120,000	May 2009	Completed	The research report was passed to relevant Government bureaux and departments for consideration.	The summary of the research report has been uploaded onto the website of the Hong Kong Economic and Trade Office in Guangdong for public perusal. The full report has been distributed to the relevant Government bureaux and departments in the Mainland and Hong Kong.

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
The Sichuan Modern Logistics Association	Selection of quotation based on the criteria at (c) below	<p>Business Potential of Sichuan for Hong Kong Logistics Companies</p> <p>To assist the Hong Kong logistics industry in exploring the business opportunities of Sichuan</p>	RMB 135,000	Aug 2009	Completed	The Hong Kong Economic and Trade Office in Chengdu (CDETO) and Hong Kong Trade Development Council jointly organised a logistics delegation to Sichuan to assist the industries in exploring the Mainland market.	The summary of the findings was released through a joint press conference held by CDETO and the Department of Commerce in Sichuan. The relevant press handout is also available at CDETO's website. The full report has been distributed to the relevant Government bureaux and departments in the Mainland and Hong Kong.

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
Chongqing Jiaotong University	Selection of quotation based on the criteria at (c) below	<p>Closer Economic Partner Arrangement (CEPA) Implementation in Chongqing.</p> <p>To understand the status of CEPA implementation in Chongqing and explore the business opportunities of Chongqing for Hong Kong enterprises</p>	RMB 150,000	Dec 2010	Completed	CDETO organised a CEPA seminar jointly with Chongqing Foreign Trade and Economic Relations Commission (CQFTEC) to promote Supplement VIII to CEPA in Chongqing	The summary of the findings was released through a joint press conference held by CDETO and CQFTEC. The press release has also been uploaded onto CDETO's website. The full report has been distributed to the relevant Government bureaux and departments in the Mainland and Hong Kong.

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
CBRE Hong Kong Limited	Selection of quotation based on the criteria at (c) below	<p>Rent Allowance (RA) Review for officers posted/ seconded to the Mainland and Taiwan</p> <p>To review the RA rates and to draw up a revised RA system for officers posted/ seconded to the Mainland and Taiwan</p>	HK\$ 600,000	Aug 2011	Completed	The proposals of the Administration on RA arrangements for officers posted /seconded to offices in the Mainland and Taiwan were endorsed by the Finance Committee of the Legislative Council (LegCo) at its meeting on 13 Jan 2012.	The consultancy study report has been uploaded onto the LegCo website for public perusal.

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
Hewitt Associates L.L.C.	Selection of quotation based on the criteria at (c) below	<p>Consultancy Services for Reviewing the Remuneration Packages for Officials under the Political Appointment System</p> <p>To conduct research and advise the Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the Hong Kong Special Administrative Region (“the Independent Commission”) on the remuneration packages for politically-appointed officials serving in the fourth-term HKSAR Government</p>	HK\$ 1,900,000	Jul 2011	In progress	<p>The consultancy was conducted at the request of the Independent Commission.</p> <p>The consultancy report will be submitted to the Independent Commission for consideration.</p>	The findings will be released together with the report of the Independent Commission for public perusal.

(b) Projects for which funds have been reserved for conducting consultancy studies in 2012-13 -

Name of consultant	Mode of award (open auction / tender / others (please specify))	Title, content and objectives of project	Con-sultancy fee (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	For the projects that are expected to be completed in 2012-13, is there any plan to make them public? If yes, through what channels? If no, why?
To be confirmed	Selection of quotation based on the criteria at (c) below	CEPA Implementation in Shaanxi To understand the status of CEPA implementation in Shaanxi and explore the business opportunities of Shaanxi for Hong Kong enterprises	RMB 150,000	April 2012	The research is planned to start from April 2012 and is expected to be completed by the end of 2012.	Upon completion of the study, the summary of the findings will be released through a joint press conference to be held by CDETO, Shaanxi Hong Kong and Macao Affairs Office and Shaanxi Department of Commerce. The full report will be distributed to the relevant Government bureaux and departments in the Mainland and Hong Kong.

(c) The consultancy projects were awarded to the research institutions concerned after considering the following criteria -

- (i) the research institution's background and relevant past experience on the research topic;
- (ii) the research team's understanding and knowledge of the research topic; and
- (iii) whether the quoted consultancy fee is reasonable.

In applying the above criteria, we also took into account the views given to us by relevant local authorities.

2. The consultancy studies mentioned in paragraph 1 (a) and (b) above are commissioned by CMAB under Programme (2): Constitutional and Mainland Affairs and Programme (3): Mainland and Taiwan Offices. The Registration and Electoral Office, which is under the purview of CMAB, has not commissioned any consultancy studies.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 regard to the growing co-operation between Hong Kong and the Mainland in recent years, please provide relevant information on Hong Kong/Mainland cross-boundary projects or programmes in which the Constitutional and Mainland Affairs Bureau is or has been involved.

- (1) For Hong Kong/Mainland cross-boundary projects or programmes from 2009-10 to 2011-12, please provide information in the following format:

Project/ Programme title	Details, objective and whether it is related to the Framework Agreement on Hong Kong/ Guangdong Co-operation (the Framework Agreement)	Expenditure involved	Name of Mainland department/ organisation involved	Progress (% completed, start date, anticipated completion date)	Have the details, objective, amount involved or impact on the public, society, culture and ecology been released to the public? If yes, through which channels and what were the manpower and expenditure involved? If no, what are the reasons?
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- (2) For Hong Kong/Mainland cross-boundary projects or programmes from 2012-13, please provide information in the following format:

Project/ Programme title	Details, objective and whether it is related to the Framework Agreement	Expenditure involved	Name of Mainland department/ organisation involved	Progress (% completed, start date, anticipated completion date)	Will the details, objective, amount involved or impact on the public, society, culture and ecology be released to the public? If yes, through which channels and what will be the manpower and expenditure involved? If no, what are the reasons?
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- (3) Apart from the projects or programmes listed above, are there any other modes of cross-boundary co-operation? If yes, what are they? What were the manpower and expenditure involved in the past 3 years, and how much financial and manpower resources are earmarked in the 2012-13 Estimates?

Asked by : Hon. HO Sau-lan, Cyd

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) attaches great importance to enhancing co-operation between Hong Kong and the Mainland. There is general consensus in our community that co-operation with Guangdong is mutually beneficial and complementary. The Legislative Council (LegCo), for example, reaffirmed its strong support by passing two motions entitled “Proactively implementing the Framework Agreement on Hong Kong/Guangdong Co-operation” and “Promoting regional economic integration between Guangdong and Hong Kong” on 26 May 2010 and 5 May 2011 respectively. The motions urged the Hong Kong Special Administrative Region (HKSAR) Government to formulate and implement the specific policies and measures outlined in the Framework Agreement on Hong Kong/Guangdong Co-operation (Framework Agreement) as early as possible, and to promote economic integration between Guangdong and Hong Kong on various fronts.

2. The Administration has briefed the House Committee and different Panels of LegCo on individual aspects of the Framework Agreement on various occasions. The full text of the Framework Agreement was issued on the day it was signed (7 April 2010) and details were announced in a press release. While CMAB is responsible for co-ordinating the efforts of the HKSAR Government in promoting co-operation with Guangdong, specific projects are initiated and taken forward by the relevant policy bureaux and departments. Where necessary, relevant parties such as advisory boards and LegCo would be briefed or consulted in accordance with established practice.

3. Since the Framework Agreement was signed in 2010, good progress has been made in its implementation. The 2012 Work Plan setting out the work programme of Hong Kong / Guangdong co-operation for the year was agreed and signed in January this year.

4. In 2012-13, about \$5.5 million has been earmarked for CMAB and the Mainland Offices to promote co-operation between Hong Kong and the Mainland, including Pan-Pearl River Delta co-operation, implementation of the Framework Agreement, Qianhai and Nansha development, as well as the implementation of the National 12th Five Year Plan. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose. As the work involved is an

integral part of the duties and functions of the CMAB officers concerned, the related manpower expenditure cannot be singled out and quantified.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 this programme, the estimated provision for 2012-13 is \$100,800,000, which is comparable with the revised estimate for 2011-12. In this regard, will the Administration advise on:

- (a) the provision for co-ordinating the promotion of closer ties with the Mainland, and facilitating exchanges and co-operation with the Pan-Pearl River Delta Region, Guangdong (including Shenzhen) and other areas including Beijing and Shanghai in the Mainland and Macao Special Administrative Region in 2011-12?
- (b) the resource input for the above work in 2012-13?
- (c) the provision for co-ordinating and enhancing exchanges and co-operation with the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait in 2012-13?

Asked by : Hon. LEUNG Kwan-yuen, Andrew

Reply :

About half of estimated provision in 2012-13 under programme (2) is related to Mainland Affairs, including the co-ordination of promotion of closer ties with the Mainland, the Macao Special Administrative Region and Taiwan. In addition, the Beijing Office, and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu under Programme (3) also play an active role in fostering closer ties with the Mainland at various levels and in a wide spectrum of areas.

2. Under the said two programmes, the financial provision for taking forward the work in (a) by the Constitutional and Mainland Affairs Bureau (CMAB) and its Mainland Offices in 2011-12 is about \$83.7 million (excluding staff cost). In 2012-13, the estimated expenditure for the above work is about \$101.3 million (excluding staff cost).

3. To nurture the Hong Kong Special Administrative Region's multi-faceted co-operation with the Chengdu-Chongqing Economic Zone and the Economic Zone on

the West Coast of the Taiwan Strait, of the estimated expenditure in 2012-13, we have tentatively set aside \$9.6 million and \$9.7 million respectively for establishing the Chongqing Liaison Unit and Fujian Liaison Unit in 2012-13. The above figures have included staff costs and a one-off setting up cost of \$4.5 million for each Liaison Unit. The CMAB would also flexibly deploy existing resources to promote co-operation and exchanges with these places.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : Under this programme, the estimated provision for 2012-13 is \$16,000,000. In what ways will the provision for studying the views received during the public consultation on the Law Reform Commission's recommendation on introducing anti-stalking legislation and formulating the way forward be used?

Asked by : Hon. LEUNG Kwan-yuen, Andrew

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) has earmarked an estimated provision of \$16,000,000 under Programme (4) for 2012-13 to coordinate and oversee the implementation of government policies on the rights of the individual. This covers, among other things, the work to follow up on the public consultation on stalking.

2. The Government launched public consultation in December 2011 to invite public views on the proposal to legislate against stalking and the key elements of the proposed legislation. The public consultation will end on 31 March 2012. After the consultation exercise, the Government will analyse and consolidate the views received and prepare a report setting out the views received. This will be undertaken as part of the work of the subject officers concerned in the CMAB.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 set out the provision for payment of legal services by the Equal
Opportunities Commission in 2010 and 2011 respectively, and the
estimated provision for payment of legal services in 2012.

Asked by : Hon. NG Margaret

Reply :

The expenditure for legal assistance by the Equal Opportunities Commission (EOC) in 2010-11 and 2011-12 is \$0.66 million and \$0.49 million respectively. The EOC has earmarked \$3.2 million for the provision of legal assistance in 2012-13, which includes \$1.7 million for the estimated expenditure related to approved legal assistance cases to be carried forward to 2012-13, and a \$1.5 million budget for new cases as with the past years.

2. The above amounts do not include the manpower and administrative expenditure of the EOC (such as the expenses of the legal service division within the EOC). Where necessary, the EOC may deploy additional resources to this area of work.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 the item “favourable court ruling/settlement for cases with
legal assistance granted from the Equal Opportunities Commission”,
please list out the respective numbers of cases that have obtained
favourable court ruling and that have been settled in court.

Asked by : Hon. NG Margaret

Reply :

Amongst the cases with legal assistance granted from the Equal
Opportunities Commission, no case went to trial in 2010, while one case obtained
favourable court ruling in 2011. On the other hand, 11 and 7 such cases reached
settlement in 2010 and 2011 respectively.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : “Advocating education for all to ensure equal education opportunities for ethnic minority students in Hong Kong” is one of the Matters Requiring Special Attention in 2012-13. In this regard, please advise this Committee on the following:

- (a) Is there any specific work plan? If yes, what are the details?
- (b) For ethnic minority students whose Chinese language standard is lower, their equal education opportunities may be hampered under the present education system. Does the Equal Opportunities Commission have any work plan in 2012 to address the situation? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. NG Margaret

Reply :

Enhancing equal rights of ethnic minority children to quality education remains one of the work priorities of the Equal Opportunities Commission (EOC) in 2012-13.

2. After the publication of the Report on the Working Group on Education for Ethnic Minorities (the Report) in July 2011, the EOC has been liaising with the Education Bureau with a view to working out a practicable plan in response to the recommendations made in the Report. The EOC has identified three recommendations, out of the nine made in the Report, in its submission to the Legislative Council Panel on Education in December 2011, which it considers should be accorded top priority for implementation. They are to provide/strengthen Chinese learning support at pre-primary and junior primary level, provide alternative Chinese Proficiency Programme and Testing System, and develop an effective and reliable data collection system to capture relevant information for policy formulation. While the Education Bureau has undertaken to review the support measures for schools and non-Chinese speaking students, the EOC considers that the Bureau has yet to make

firm commitments or put forward concrete plans on the direction of the review in response to the EOC's recommendations. The EOC will continue to actively maintain dialogue with the Education Bureau and other stakeholders as appropriate on the matter.

3. Besides the above, the EOC will submit its views on the issue to the United Nations (UN) treaty monitoring bodies under the relevant UN human rights treaties, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, and the International Covenant on Economic, Social and Cultural Rights, as and when appropriate.

4. The EOC will also exercise its statutory power to investigate into complaints should sufficient information be provided by aggrieved parties.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : Given that there have been speeches and acts suspected to be discriminatory in nature against Mainland residents recently, will the Equal Opportunities Commission allocate resources in 2012 to launch studies and publicity on relations between residents in Hong Kong and the Mainland? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. NG Margaret

Reply :

Although the issue falls outside the purview of the anti-discrimination ordinances, the Equal Opportunities Commission (EOC) noted the recent tensions between residents in Hong Kong and the Mainland. In its promotion of inclusion and equal opportunities in society, the EOC has repeatedly called for tolerance and rationality in social debates through various channels, and such efforts would continue. These include -

- (a) media statements and interviews: the EOC had released media statements to respond to the recent issues. The EOC Chairperson had also attended several media interviews to call for calmness and rationality. The EOC will continue to speak up through the mass media to guard against discrimination, harassment and vilification;
- (b) radio programme: in 2012, interviews will be arranged on the EOC's radio programme to promote understanding and acceptance, including between residents of Hong Kong and the Mainland;
- (c) talks and sharing sessions: on appropriate occasions during the EOC's general talks for the public or sharing sessions with students, the EOC will initiate discussions on relevant issues to promote inclusion and diversity; and

(d) other initiatives, such as videos promoting fair treatment and inclusion, will also be launched.

2. These initiatives are part of the EOC's ongoing promotion efforts, and no separate breakdown of provision is available.

3. As for research studies, the EOC's agenda for research studies is considered and approved by the Policy and Research Committee of the EOC on a yearly basis. At the moment there is no relevant study on this subject on the 2012-13 agenda.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 cases where assistance has been sought by Hong Kong residents being detained in the Mainland in 2010-11, and a breakdown by nature on cases where the offices successfully helped the detainees return to Hong Kong.

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The Immigration Divisions of the Beijing Office (BJO) and Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO) are responsible for providing practical assistance to Hong Kong residents detained in the Mainland under their respective coverage areas. A breakdown of the detention cases handled by the Immigration Divisions of BJO and Guangdong ETO in 2010 and 2011 showing the number of assistance cases received and detainees returned to Hong Kong is set out below :

	2010		2011	
Reasons for Detention	CR*	DR*	CR*	DR*
Fraud	9	1	5	2
Smuggling	7	2	0	0
Smuggling/manufacturing of narcotic drugs	3	0	1	0
Corruption	1	0	0	0
Gambling	1	0	0	0
Illegal operation	1	0	1	0
Theft	0	0	1	1

	2010		2011	
Reasons for Detention	CR*	DR*	CR*	DR*
Commercial dispute	2	0	9	5
Others	3	1	5	2
Total :	27	4	22	10

CR:Number of assistance cases received

DR:Number of detainees returned to Hong Kong

Signature _____

Name in block letters _____ **JOSHUA LAW**

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Do senior government officials of the HKSAR have any plan to visit Taiwan in 2012? If yes, please set out in table form the dates and purposes of the planned visits, as well as the ranks of the visiting officials.

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The Secretary for Constitutional and Mainland Affairs and the Permanent Secretary for Constitutional and Mainland Affairs visited Taichung in February 2012 to attend the opening ceremony of the 2012 Taichung Lantern Festival. Before the event, they also visited the Hong Kong Economic, Trade and Cultural Office (HKETCO) in Taipei and met with other relevant Taiwan authorities.

2. Based on current planning, relevant HKSARG officials will visit Taiwan in 2012 for the following activities:

- (a) To officiate at the opening ceremony of the HKETCO; and
- (b) To attend the Third Joint Meeting of the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) and the Taiwan-Hong Kong Economic and Cultural Co-operation Council in their capacities as office bearers of the ECCPC.

Details of these and other visits are still being worked out and will be announced in due course.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : What are the projects planned by the Hong Kong Economic, Trade and Cultural Office in Taiwan established by the SAR Government for promoting Hong Kong's culture to the Taiwanese in this financial year?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The Hong Kong Economic, Trade and Cultural Office (HKETCO) in Taiwan is committed to, *inter alia*, promoting cultural exchanges between Hong Kong and Taiwan. In 2012-13, the HKETCO will:

- (a) continue to assist the Administration and the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) in organising activities to further enhance exchanges with Taiwan, including forums, seminars and cultural exchanges in fostering Hong Kong-Taiwan cooperation; in particular, HKETCO will support the Cultural Cooperation Committee formed under the ECCPC in organising a "Hong Kong Week" in Taiwan to showcase Hong Kong's arts and culture;
- (b) advise and assist bureaux and departments on cultural exchanges with Taiwan; and
- (c) encourage bilateral cultural exchanges among community organisations and help promote the cultural activities staged in Taiwan by meritorious local art groups.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 some people's understanding of violation of personal data privacy may be not the same as that under the Ordinance, they have unnecessarily sought assistance from the Office of the Privacy Commissioner for Personal Data (PCPD). In this connection, will the PCPD advise this Committee on the following?

- (a) Will the PCPD put in additional resources to enhance public education, say by means of concrete case illustration, to let the public know which privacy intrusion conduct is regulated under the Ordinance. If yes, what are the details? If no, what are the reasons?
- (b) Given that members of the public are quite sensitive to personal data privacy, will the PCPD consider allocating resources in 2012-13 for conducting detailed studies of the public's expectations of and views on personal data privacy system to provide data and information for future policy study and review? If yes, what are the details of the studies? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

(a) The Office of the Privacy Commissioner for Personal Data (PCPD) plans to set aside about \$2.3 million for promotion, publicity and education activities in 2012-13. Major activities include:

- (i) a one-day "Privacy by Design" Conference;
- (ii) a six-episode TV docu-drama series;

- (iii) Student Ambassador Programme – a learning process provided for secondary school students to foster a culture of respect for personal data privacy;
- (iv) an industry-wide privacy campaign for a targeted industry;
- (v) Privacy Awareness Week 2012 – an annual regional promotional event;
- (vi) activities for Data Protection Officers' Club members, including regular meetings, introductory seminars, discussion sessions and visits;
- (vii) participation in the Education & Careers Expo 2013;
- (viii) University Privacy Days – on-campus promotion of privacy and data protection to staff and students of the universities in Hong Kong;
- (ix) professional workshops on data protection – a series of professional workshops tailored for the needs of executives dealing with personal data; and
- (x) public seminars on topical issues, e.g. proper use of technology in daily life.

The PCPD will take the opportunity of these activities to promote public awareness and understanding of the privacy intrusion conduct regulated under the Personal Data (Privacy) Ordinance (Cap. 486), with case illustration where appropriate.

(b) The PCPD plans to conduct a public opinion survey in 2012-13 to ascertain the attitude of the general public on personal data privacy and the work of PCPD. Details of the study are being worked out.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please provide : the actual operating expenditure for the four offices set up in the Mainland by the HKSAR Government (the Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu) in the past 2 years; the estimate for 2012-13; and the number of Hong Kong based officers posted to each of these four offices and related personal emolument, as well as the number of locally engaged staff and related staff costs.

Asked by : Hon. LAM Kin-fung, Jeffrey

Reply :

Regarding the four Mainland Offices (the Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu), the actual operating expenditure, including staff costs, for 2010-11 is \$114.9 million; the revised estimate for 2011-12 is \$125.4 million; and the estimate for 2012-13 is \$156.8 million.

2. Details of the manpower and related personal emolument for Hong Kong based staff, as well as the staff costs for locally engaged staff of the four Mainland Offices are set out below:

	2010-11	2011-12	2012-13
Number of Hong Kong based staff	40	40	44
Related personal emolument for Hong Kong based staff	\$43.1 million (Actual)	\$48 million (Revised Estimate)	\$57.2 million (Estimate)
Number of locally engaged staff	74	78	81
Related staff costs for locally engaged staff*	\$12 million (Actual)	\$14.2 million (Revised Estimate)	\$15.8 million (Estimate)

*Funded by the Constitutional and Mainland Affairs Bureau

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : (a) What were the work and activities conducted by the Hong Kong Economic, Trade and Cultural Office in Taiwan in the past year? Please list out in detail the relevant expenditure and the staffing arrangement.

(b) In conducting the above work and activities, which authorities and enterprises in Taiwan had the Office made contact with? How many contacts had been made?

Asked by : Hon. IP Kwok-him

Reply :

- (a) The Hong Kong Economic, Trade and Cultural Office (HKETCO) in Taiwan commenced operation on 19 December 2011. Since its establishment, the HKETCO has begun to establish contact with the relevant authorities and organisations in Taiwan, and has provided support to the visit by the Secretary for Constitutional and Mainland Affairs to Taipei and Taichung in early February 2012. The Director of HKETCO also represented HKSAR in his capacity as a Director of the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council to sign an air services arrangement with Taiwan at the end of December 2011. The establishment of the HKETCO includes eight officers posted from Hong Kong and seven locally engaged staff. They will report duty to the HKETCO in phases. The expenditure for the operation of the HKETCO in 2011-12 is estimated to be \$9.45 million.

- (b) Since the commencement of its operation, the HKETCO has contacted a number of authorities in Taiwan, such as those responsible for economic affairs, transport affairs and Mainland affairs, and the city governments of Taipei and Taichung; as well as Taiwanese organisations including the Taiwan-Hong Kong Economic and Cultural Cooperation Council and the General Chamber of Commerce in Taiwan.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (2) Constitutional and Mainland Affairs
(3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Constitutional and Mainland Affairs Bureau will co-ordinate and enhance exchanges and co-operation with the Chengdu-Chongqing Economic Zone and Economic Zone on the West Coast of the Taiwan Strait in 2012-13. What are the specific plan and expenditure involved? Have assessments been made on the quantified economic benefits to Hong Kong brought by the exchanges and co-operation with the two Economic Zones?

Asked by : Hon. LAM Tai-fai

Reply :

In the 2011-12 Policy Address, the Chief Executive announced the establishment of liaison units in Chongqing and Fujian under the Hong Kong Economic and Trade Offices in Chengdu (CDETO) and Guangdong (GDETO) respectively. The aim is to tap into the development opportunities in the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait. In 2012-13, we have tentatively set aside \$9.6 million (including staff cost and an one-off \$4.5 million setting up cost) and \$9.7 million (including staff cost and an one-off \$4.5 million setting up cost) respectively to establish the Chongqing Liaison Unit (CQLU) and Fujian Liaison Unit (FJLU). Furthermore, we will flexibly deploy existing resources to promote the Hong Kong Special Administrative Region (HKSAR)'s co-operation and exchange with the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait.

2. Leveraging on the newly established CQLU and FJLU, we plan to implement the following initiatives to promote the HKSAR's co-operation and exchange with the relevant places in 2012-13 –

- strengthen the HKSAR Government's liaison with the relevant provincial and municipal governments;

- roll out activities to promote trade and investments between the HKSAR and the relevant places; and
- enhance communication with Hong Kong enterprises in the relevant places and understand and follow up issues of concerns.

3. We do not have any quantitative estimation on the economic benefits arising from co-operation with the relevant places. We believe the growing co-operation with the relevant places will foster a better business environment and generate increased opportunities for Hong Kong enterprises.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 Mainland and Taiwan Offices attended 388 meetings on trade-related matters in 2011, which was less than the 394 meetings attended in 2010. Similarly, the number of visits to Mainland/Taiwan authorities and trade organisations decreased from 475 visits in 2010 to 463 visits in 2011. What are the reasons? Please list out in categories the number and types of meetings and the number of visits to Mainland/Taiwan authorities and trade organisations by each office, the trade types of the trade organisations and the quantifiable economic benefits.

Asked by : Hon. LAM Tai-fai

Reply :

Regarding the performance indicators on promotion of commercial relations by Mainland Offices, a similar level of promotion work conducted by these offices has been maintained in 2011 and 2010. The number of “meetings on trade-related matters attended” and “visits to Mainland authorities and trade organisations” in 2011 was slightly lower than that for 2010, whilst the number of “seminars, exhibitions and workshops organised/participated” and “public speeches given” in 2011 is higher than that for 2010. Each year, the Mainland Offices may need to vary the individual indicators having regard to the actual operational circumstances of the Mainland Offices concerned. The activities mentioned above form an integral part of the efforts of the Mainland Offices in enhancing closer commercial relations between Hong Kong and the Mainland. Owing to the general nature of the related promotional efforts, the economic benefits arising therefrom cannot be quantified. Further details on the “meetings on trade-related matters attended” and “visits to Mainland authorities and trade organisations” are set out below :

	2010		2011	
	Meetings on trade-related matters attended	Visits to Mainland authorities and trade organisations	Meetings on trade-related matters attended	Visits to Mainland authorities and trade organisations
Guangdong ETO	130	185	126	177
Shanghai ETO	89	83	119	86
Chengdu ETO	89	94	85	90
Beijing Office	86	113	58	110
Total :	394	475	388	463

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 : Regarding the investment promotion projects of the Mainland and Taiwan Offices, there were 217 projects pursued in 2011, which was less than the 218 pursued projects in 2010 by 1. What are the reasons? What are the details of the 257 projects to be pursued in 2012? In the past 2 years, a total of 108 investment projects related to the setting up or expansion of business in Hong Kong by overseas, Mainland or Taiwan companies were completed with the assistance of the above offices. Please list out by office the number of overseas, Mainland or Taiwan companies setting up or expanding their business in Hong Kong in the past 3 years with assistance from them, the business nature of the companies, number of staff employed, number of jobs created and the actual economic benefits brought to Hong Kong.

Asked by : Hon. LAM Tai-fai

Reply :

The number of projects pursued each year may vary subject to the fluctuation in the number of potential investment projects in the pipeline and companies interested in setting up their business in Hong Kong for the year. In 2012, the number of projects pursued is estimated to be 257. Invest Hong Kong, through the Investment Promotion Units of the Mainland Offices, will proactively reach out to target companies in various sectors and provide one-to-one facilitation service to assist them in setting up or expand their business in Hong Kong.

2. Details of the investment projects completed by the Investment Promotion Units of the Mainland Offices in the past three years are set out below:

	Number of completed projects		
	2009	2010	2011
Beijing Office	17	15	16
Chengdu ETO	2	3	4
Guangzhou ETO	19	18	17
Shanghai ETO	12	16	19
Total	50	52	56

3. The above investment projects cover a wide range of business sectors including financial services, consumer products, transport and industrial services, innovation and technology, creative industries, information and communications technology, tourism and hospitality as well as business and professional services. The number of jobs created within the first year of operation / expansion of the companies in 2009, 2010 and 2011 is 777, 682 and 668 correspondingly.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 categories of cases (such as imprisonment, loss of travel document, assault) the number of requests for assistance from Hong Kong people received by the Mainland Offices in the past 5 years.

Asked by : Hon. WONG Yuk-man

Reply :

The number of requests for assistance received by the Mainland Offices in the past 5 years is set out below :

Category		Number of Requests Handled				
		2007	2008	2009	2010	2011
Cases relating to immigration and personal safety matters						
1.	Loss of travel documents or monies	90	54	42	62	70
2.	Persons in danger, involved in traffic accidents, injured or whose relatives have passed away in the Mainland	231	298	524	268	409
3.	Detention	65	46	35	27	22
Sub-total :		386	398	601	357	501

Category		Number of Requests Handled				
		2007	2008	2009	2010	2011
Other cases (including complaints and other request for assistance cases)						
4.	Business and trade disputes	51	23	36	23	19
5.	Complaints relating to real estate in the Mainland	66	41	53	40	33
6.	Complaints against administrative, law enforcement and judicial agencies in the Mainland	153	146	208	116	119
7.	Others	105	57	33	42	25
Sub-total :		375	267	330	221	196
Total :		761	665	931	578	697

Signature _____

Name in block letters **JOSHUA LAW**

Post Title **Permanent Secretary for
Constitutional and Mainland Affairs**

Date **1 March 2012**

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

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 any provision been set aside in the Estimates for 2012-13 to promote racial harmony and equality with respect to the relationship between the people of the Mainland and the people of Hong Kong? If yes, what are the details of the work plan?

Asked by : Hon. WONG Yuk-man

Reply :

In general, Hong Kong is a multi-cultural international city and a harmonious community with heterogeneous diversity. The Government attaches importance to promoting social and racial harmony among different groups of people in the city, and seeks to promote the core values such as mutual respect for people from different backgrounds in the community and equality for all in its public education efforts. At the same time, the Equal Opportunities Commission promotes inclusion and equal opportunities in society and repeatedly calls for tolerance and rationality in social debates through various channels.

2. These public education efforts are an integral part of the promotion efforts by the organisations concerned, and a separate breakdown of the related expenses in a particular area is not available.

3. It should be noted that the relationship between the population of the Mainland and that of Hong Kong does not involve racial matters.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

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

Question : Has any provision been set aside in the Estimates for 2012-13 to enhance communication between the HKSARG's offices in the Mainland and the Mainland government authorities so as to minimise misunderstanding between Hong Kong media practitioners and the law enforcement authorities in the Mainland and to facilitate the practitioners' conduct of reporting activities in the Mainland?

Asked by : Hon. WONG Yuk-man

Reply :

Under the "One Country, Two Systems" principle, Hong Kong journalists should conduct their reporting activities in the Mainland in accordance with the relevant Mainland laws and regulations.

The Hong Kong Special Administrative Region Government attaches great importance to the rights of Hong Kong journalists in conducting reporting activities in the Mainland in accordance with law. The Mainland Offices may, upon request, offer assistance to facilitate their reporting work in the Mainland, including –

- (a) providing information on the relevant Mainland laws, regulations and procedures;
- (b) liaising with the relevant Mainland authorities; and
- (c) conveying enquiries and requests to the relevant Mainland authorities.

The above duties are an integral part of the work of the Mainland offices. The expenditure involved cannot be singled out and quantified.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 : Regarding the work of the Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO), would the Administration inform this Committee of the following:

- (a) Details of the total expenditure and work of the Guangdong ETO in 2011; and details of its co-operation with the Mainland?
- (b) Details of the total estimated expenditure and work of the Guangdong ETO in 2012-13; and details of its plan on co-operation with the Mainland?
- (c) In 2011, how many requests for assistance from Hong Kong people were received by the GDETO? What are the main categories of these requests? Of the requests received, how many of them are related to economic and trade related matters, or cases involving assistance to retirees or the elderly who have difficulties in maintaining their living?

Asked by : Hon. WONG Kwok-kin

Reply :

Guangdong ETO was established in July 2002 to promote Hong Kong's trade and commercial interests in Guangdong and to attract investments to Hong Kong. With effect from April 2006, the service areas of the Guangdong ETO have been expanded to cover trade and economic promotions in the five provinces / region of Fujian, Jiangxi, Guangdong, Guangxi and Hainan. An Immigration Division was also set up under the Guangdong ETO in April 2006 to provide practical assistance to Hong Kong residents in distress in these areas. In August 2010, a Shenzhen Liaison Unit was established under the office to enhance liaison with the Shenzhen authorities and to support the various co-operation efforts there.

2. Guangdong ETO's major functions are as follows :

- (a) To develop and promote the economic and trade relations between Hong Kong and its covered areas (i.e. Fujian, Jiangxi, Guangdong, Guangxi and Hainan);
- (b) To enhance understanding between the relevant local governments and the Hong Kong Special Administrative Region Government;
- (c) To provide support to Hong Kong enterprises operating in its covered areas;
- (d) To promote and facilitate investments in Hong Kong from its covered areas;
- (e) To promote Hong Kong in regions under its covered areas; and
- (f) To provide practical assistance to Hong Kong residents in distress in its covered areas.

3. In 2011-12, the Guangdong ETO, among other things, has assisted in taking forward a number of important initiatives in its covered areas, including the implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, development of Qianhai and Nansha, as well as transformation and upgrading of the Hong Kong-invested processing industries in the Mainland. The office has also facilitated communication between Hong Kong businessmen and the local economic and trade departments of relevant local governments by organising seminars on Mainland trade related policy measures (such as policy measures on tax exemption), discussing Mainland policies and measures of common concern (such as the adjustment of minimum wages in Guangdong), as well as reflecting their views to the concerned local authorities. For further details of the work of the Guangdong ETO in the past years, please refer to its annual work reports submitted to the Panel on Commerce and Industry of the Legislative Council.

4. Looking ahead, the Guangdong ETO will continue with its efforts in strengthening contacts and co-operation between Hong Kong and the five provinces/region. In particular, the Guangdong ETO plans to organise activities to assist Hong Kong-invested enterprises in transformation and upgrading, as well as development of the Mainland market, including organising a “Hong Kong Week” in Quanzhou. With the opening of the Fujian Liaison Unit in February 2012, the Guangdong ETO will enhance its liaison and promotion work in the province to capitalise on the economic opportunities in the Economic Zone on the West Coast of the Taiwan Strait.

5. The 2011-12 revised estimate and 2012-13 estimate of Guangdong ETO are \$38.6 million and \$47.8 million respectively. The provision for 2012-13 includes a one-off setting up cost of \$4.5 million for the Fujian Liaison Unit.

6. During 2011, a total of 347 requests for assistance were handled by the Guangdong ETO. The nature of these requests is shown in the table below :

Category	Number of Requests Handled in 2011
Cases relating to immigration and personal safety matters	
Loss of travel documents or monies	8
Persons in danger, involved in traffic accidents, injured or whose relatives have passed away in the Mainland	244
Detention	17
Sub-total :	269
Other cases (including complaints and other request for assistance cases)	
Business and trade disputes	7
Complaints relating to real estate in the Mainland	20
Complaints against administrative, law enforcement and judicial agencies in the Mainland	46
Others	5
Sub-total :	78
Total :	347

7. Among the 347 requests handled by the Guangdong ETO in 2011, 7 of them are related to business and trade disputes. Cases under other categories may also be related to economic and trade matters. The Guangdong ETO does not maintain separate statistics for assistance rendered to retirees or the elderly in the Mainland.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Regarding the Hong Kong Economic, Trade and Cultural Office newly established in Taiwan, would the Administration inform this Committee of the following?

- (a) What were the total expenditure and details of the work of the Office in 2011? What were the details of its co-operation and its plan for co-operation with Taiwan?
- (b) What are the estimated total expenditure and details of the work of the Office in 2012-13. What are the details of its co-operation and its plan for co-operation with Taiwan?
- (c) In 2011, how many requests for assistance from Hong Kong residents were received by the Office? What were the main categories of these requests? Of the requests received, how many were related to economic and trade matter?

Asked by : Hon. WONG Kwok-kin

Reply :

- (a) The Hong Kong Economic, Trade and Cultural Office (HKETCO) in Taiwan commenced operation on 19 December 2011. Since its establishment, the HKETCO has begun to establish contact with the relevant authorities and organisations in Taiwan, and has provided support to the visit by the Secretary for Constitutional and Mainland Affairs to Taipei and Taichung in early February 2012. The Director of HKETCO also represented HKSAR in his capacity as a Director of the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council to sign an air services arrangement with Taiwan at the end of December 2011. The expenditure for the operation of the HKETCO in 2011-12 is estimated to be \$9.45 million. The above figure has included staff costs and a setting up cost of \$3.5 million. Since the

commencement of its operation, the HKETCO has contacted a number of authorities in Taiwan, such as those responsible for economic affairs, transport affairs and Mainland affairs, and the city governments of Taipei and Taichung; as well as Taiwanese organisations including the Taiwan-Hong Kong Economic and Cultural Co-operation Council and the General Chamber of Commerce in Taiwan.

- (b) The estimated expenditure for HKETCO for 2012-13 is \$24.65 million. The above figure has included staff costs and a setting up cost of \$2.3 million. In 2012-13, HKETCO will continue to:
- (i) establish contacts to foster closer economic and cultural cooperation and exchanges between Hong Kong and Taiwan;
 - (ii) facilitate Hong Kong businesses in tapping business opportunities in Taiwan while encouraging Taiwanese businesses to invest in Hong Kong; and
 - (iii) organise and support promotional and cultural events to publicise Hong Kong in Taiwan.

The above work planned for 2012-13 will entail cooperation with the relevant authorities, as well as trade and cultural organisations in Taiwan.

- (c) The HKETCO has not received any request for assistance from Hong Kong residents in 2011.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 HKSAR's inputs to complement the implementation of the National 12th Five-Year Plan, please advise on the details of the work related, the expenditure and manpower requirement to be involved in the following year.

Asked by : Hon. WONG Kwok-kin

Reply :

The National 12th Five-Year Plan (the Plan) promulgated in March 2011 has unprecedentedly included a dedicated chapter on the Hong Kong and Macao Special Administrative Regions (the Dedicated Chapter). In August 2011, Vice Premier of the State Council, Mr LI Keqiang, visited Hong Kong and further announced a series of more than 30 concrete policies and measures of the Central People's Government under the Plan to support Hong Kong in further developing and deepening co-operation with the Mainland (the New Supporting Policies and Measures). The Dedicated Chapter and the New Supporting Policies and Measures highlight the important functions and positioning of Hong Kong in the national development strategy, map out the direction of co-operation between the Mainland and Hong Kong during the Plan period, and provide a solid policy framework for the coming implementation work of the Hong Kong Special Administrative Region.

2. In 2012-13, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to assist in the following areas:

- (a) assisting the relevant bureaux and departments in implementing the specific areas mentioned in the Plan and the New Supporting Policies and Measures, and monitoring progress;
- (b) liaising with the relevant Mainland authorities, particularly the National Development and Reform Commission;

- (c) taking forward various regional co-operation initiatives, particularly the implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation;
- (d) offering advice to the Shenzhen Municipal Government and Guangzhou Municipal Government on promoting the development of Qianhai and Nansha; and
- (e) coordinating with the relevant Mainland Offices to conduct relevant research and studies on the related areas as necessary.

3. About \$5.5 million has been earmarked in 2012-13 for the CMAB and the Mainland Offices to promote co-operation between Hong Kong and the Mainland, including Pan-Pearl River Delta co-operation, implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, Qianhai and Nansha development, as well as the implementation of the Plan. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose. As the work involved is an integral part of the duties and functions of the CMAB officers concerned, the related manpower expenditure cannot be singled out and quantified.

Signature	_____
Name in block letters	_____ JOSHUA LAW _____
Post Title	_____ Permanent Secretary for Constitutional and Mainland Affairs _____
Date	_____ 1 March 2012 _____

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

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 : Of the contravention cases involving individuals or institutions/organisations concluded by the Office of the Privacy Commissioner for Personal Data (PCPD) under the Personal Data (Privacy) Ordinance over the past 3 years, what was the number of cases in which the decisions of the PCPD had been disputed and thus resulted in follow-up actions being taken? Please set out the particulars of each case, the organisations or individuals involved, the way by which the parties concerned lodged their disputes, the way by which follow-up actions were taken, the result of the follow-up actions as well as the manpower and expenditure required to handle these cases.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Of the cases in which the Privacy Commissioner for Personal Data (PCPD) was of the view that there was contravention of the Personal Data (Privacy) Ordinance (Cap. 486) (PDPO), appeals were lodged by the parties concerned with the Administrative Appeals Board in respect of 14 cases in the past 3 years (2009, 2010 and 2011) – 5 were against the PCPD's decision not to serve an enforcement notice and 9 were against the PCPD's decision to serve an enforcement notice. The details are at **Annex**.

2. The above appeal cases are mainly handled by staff in the Legal Division (comprising 1 Chief Legal Counsel, 5 Legal Counsels, 1 Legal Executive and 1 Legal Secretary). Other relevant staff are also involved as part of their duties. The handling of the above appeal cases is part of the duties of the PCPD officers concerned and no separate breakdown of expenditure is available. In one case, external legal professionals were engaged and the legal fee involved was \$115,000.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

Appeals against PCPD's Decision not to serve an Enforcement Notice*

(Position as at 15 February 2012)

Case	Data User	Case Description	Outcome/ Progress
1.	A private company	Failure to comply with the data access request	Appeal dismissed
2.	A law enforcement agency	Disclosure of information to others without the complainant's consent	Appeal dismissed
3.	A telecommunication company	Transfer of personal data to another company for direct marketing activities without the complainant's consent	Appeal dismissed
4.	A private company	Collection, retention and disclosure of personal data without the complainant's consent	Appeal pending hearing
5.	A private company	Failure to comply with the data correction request	Appeal pending hearing

* Under section 50 of the PDPO, where, following the completion of an investigation, the PCPD is of the opinion that the relevant data user is contravening a requirement under the PDPO or has contravened such a requirement in circumstances that make it likely that the contravention will continue or be repeated, then the PCPD may serve an enforcement notice.

Appeals against PCPD's Decision to serve an Enforcement Notice

(Position as at 15 February 2012)

Case	Data User	Case Description	Outcome/ Progress
1.	A bank	Disclosure of personal data for promoting insurance products without the complainant's consent	Appeal dismissed
2.	An insurance company	Disclosure of personal data of customers to its staff without consent	Appeal dismissed
3.	A bank	Transfer of personal data to an insurance company for direct marketing activities without the complainant's consent	Appeal withdrawn
4.	A private company	Excessive collection of personal data	Appeal withdrawn
5.	An insurance company	Direct marketing approach despite the complainant's opt-out request	Appeal allowed but the finding of contravention not affected
6.	A government department	Excessive fee imposed for data access request	Appeal allowed but the finding of contravention not affected
7.	A private company	Disclosure of information to others without the complainant's consent	Appeal allowed
8.	A law enforcement agency	(i) excessive fee imposed for data access request; (ii) failure to comply with data access request and (iii) unnecessarily collect fingerprint data	Appeal pending hearing
9.	A bank	Failure to comply with the data access request	Appeal pending decision

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

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 the matters requiring special attention under the programme
of the Office of the Privacy Commissioner for Personal Data in 2012-13,
please advise on the following:

- (a) In relation to the Administration's plan to "prepare for implementation
arrangements of the Data User Returns Scheme", what are the
specific work plan and schedule? How much expenditure and
staffing has been earmarked?
- (b) On the work to "prepare for implementation of the new provisions of
the amended PDPO", has the Administration assessed how much
additional recurrent and non-recurrent funding will be needed for the
implementation of the new provisions? Please set out in detail the
new provisions which require additional funding, the expenditure
and staffing to be involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

(a)

The Office of the Privacy Commissioner for Personal Data (PCPD) issued the Data User Returns Scheme (DURS) Consultation Document in mid 2011 to the industries proposed to be included in the first phase of the DURS, namely, the public sector, the banking, telecommunications and insurance industries. A total of five briefing sessions were conducted for these sectors. The PCPD will continue to work with these industries with a view to early implementation of the scheme.

2. The estimated provision for the PCPD for 2012-13 includes \$1.1 million for one Senior Personal Data Officer post to study the implementation arrangements for the DURS. Other relevant staff are also involved in the work on this subject as part of their duties.

(b)

3. The major provisions of the amended Personal Data (Privacy) Ordinance (Cap. 486) (PDPO) requiring additional funding for implementation are those relating to the new regulatory requirements for the use and provision of personal data for direct marketing purpose, sale of personal data, enforcement by the PCPD and provision of legal assistance by the PCPD to data subjects seeking compensation from data users for damages resulting from contravention of the requirements of the PDPO by the data users. In this regard, additional funding of \$8.9 million has been earmarked for the PCPD for 2012-13. This comprises \$8.4 million recurrent funding and \$0.5 million non-recurrent funding. The \$8.4 million recurrent funding comprises provision for the PCPD to create five additional posts (one Senior Legal Counsel, one Legal Executive, one Senior Personal Data Officer and two Personal Data Officer posts), to convert four existing time-limited posts (one Legal Counsel, one Chief Personal Data Officer, one Senior Personal Data Officer and one Personal Data Officer posts) to permanent posts and to take forward the legal assistance scheme. The \$0.5 million non-recurrent funding is earmarked for publicity in connection with the implementation of the new provisions in the PDPO.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : Has the Office of the Privacy Commissioner for Personal Data (PCPD) estimated the expenses and manpower required in the protection of personal data processed across the border as stipulated under section 33 of the Personal Data (Privacy) Ordinance (PDPO)? Last year, the PCPD explored the way forward on section 33. The work mentioned then included consultation with stakeholders to assess the readiness of the community for the operation of section 33, the need for preparing guidelines to facilitate compliance, the readiness of the PCPD to gazette places with legislation substantially similar to PDPO, and international developments. How much manpower resource has been used in the above review? What is the progress and the result of the review? Will the result be made public and when will it be available?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2011-12, the Office of the Privacy Commissioner for Personal Data (PCPD) conducted exploratory work on the way forward on section 33 of the Personal Data (Privacy) Ordinance (Cap. 486) (PDPO). More detailed study will be undertaken in 2012-13. The manpower resources involved are absorbed within the existing provision of the Office of the PCPD and no separate breakdown is available.

2. The PCPD has not estimated the expenses and manpower required for implementing section 33 of the PDPO.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 provide a summary, the persons concerned, the findings as well as
the expenditure and manpower involved of the self-initiated
investigations undertaken by the Office of the Privacy Commissioner for
Personal Data in 2011.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

Information on the eleven self-initiated investigations undertaken by the Office
of the Privacy Commissioner for Personal Data (PCPD) in 2011 is at the **Annex**.

2. The eleven self-initiated investigations are handled by 12 officers (two Chief
Personal Data Officers, four Senior Personal Data Officers, three Personal Data
Officers and three Assistant Personal Data Officers) of the PCPD. Since the
investigation work is part of the duties of the 12 officers concerned, there is no
separate breakdown of the expenditure involved.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

Self-initiated Investigations Conducted in 2011

Case	Commencement Date of Investigation	Data User	Details of the Incident	Progress/Findings
1	22 March 2011	A supermarket	Collection and use of personal data of members under its customer loyalty scheme.	Investigation ongoing.
2	22 March 2011	A personal care store	Collection and use of personal data of members under its customer loyalty scheme.	Investigation ongoing.
3	14 April 2011	An independent statutory body	Collection of job applicants' personal data in recruitment process.	Investigation ongoing.
4	8 July 2011	A personal care store	Collection and use of personal data of members under its customer loyalty scheme.	Investigation ongoing.
5	8 July 2011	A supermarket	Collection and use of personal data of members under its customer loyalty scheme.	Investigation ongoing.
6	14 July 2011	A telecommunication company	Use of customers' personal data in a joint marketing campaign with an insurance company.	Investigation ongoing.
7	14 November 2011	An education institution	Collection of personal data of applicants taking the examination organized by the data user.	Investigation ongoing.
8	25 November 2011	A wedding services company	Collection of personal data of a customer.	Investigation ongoing.
9	29 December 2011	A telecommunication company	Security measures in its online service in relation to customers' personal data.	Investigation ongoing.
10	30 December 2011	A publishing company	Collection of personal data of individuals registered as users in its discussion forum.	Investigation ongoing.
11	30 December 2011	An amusement arcade	Collection of personal data of members.	Investigation ongoing.

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

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 : Were the complaint cases handled by the Office of the Privacy Commissioner for Personal Data in 2011 all raised by the data subjects? Did any government departments or public organisations lodge any complaints? If yes, please provide the details of these complaints. Which trades were mainly involved in these complaint cases? How many of these cases involved government departments? Please list out the government departments and public organisations involved in the cases.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Office of the Privacy Commissioner for Personal Data (PCPD) handled 1 848 compliant cases in 2011. The complainants are all data subjects. Of the 1 848 cases:

- (a) 1 368 (74%) cases were against private sector organisations;
- (b) 200 (11%) cases were against public sector organisations (of which 142 cases were related to government departments and 58 cases related to other public bodies); and
- (c) 280 (15%) cases were against individuals.

2. The majority of complaints against private sector organisations were related to the banking and finance industry (278 cases), property management industry (164 cases) and telecommunications industry (161 cases).

3. As staff of the PCPD are bound by the secrecy provision of the Personal Data (Privacy) Ordinance (Cap. 486), the PCPD cannot provide the names of the government departments or other public bodies being complained against.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 were the respective numbers of requests for information made to the Government under the Code on Access to Information over the past 3 years? How many requests were made by the media, non-profit-making institutions, government departments and public organisations respectively? How many requests were subsequently withdrawn by the applicants? Did the Government know the reasons for the withdrawal? How many requests were refused? What were the reasons for the refusal? How many cases in which the requested information was provided in part only? How much money was collected as charges for the service? Will the Government waive the service charges in respect of information requested for non-profit-making purposes or by non-profit-making institutions?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In the past three years, i.e. 2009-10, 2010-11 and 2011-12 (up to 31.12.2011), bureaux/departments received a total of 2 134, 2 113 and 1 802 requests respectively for information under the Code on Access to Information (the Code). Of the total 6 049 requests received in these three years, 495 requests were subsequently withdrawn by the requestors, 374 requests covered cases in which the bureaux/departments concerned did not hold the requested information while 70 requests were still being processed by bureaux/departments as at 31.12.2011. Of the remaining 5 110 requests, 4 960 (97%) were met, either in full (4 830) or in part (130), and 150 (3%) were refused. Refusals of requests for information in whole or in part were based on reasons specified in the Code, the major ones being :

- (a) the requested information was held for, or provided by, a third party on the understanding that it would not be further disclosed (in 95 cases);
- (b) the requested information was related to the privacy of an individual (in 77 cases); and

(c) the disclosure of information would harm or prejudice the management and operation of the public service (in 44 cases).

2. In the past three years, bureaux/departments collected a total of about \$70,000 in connection with requests for copies of documents.

3. Any person who requests access to information is not obliged to disclose the purpose for which the information is to be used or the organisation to which he/she belongs. Similarly, he/she is not obliged to provide reasons for withdrawal of the request. At present, there is no provision under the Code for waiving the charges for copies of documents. We have no current plan to amend the Code in this regard.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 Matters Requiring Special Attention in 2012-13 under the
Programme: Equal Opportunities Commission, the Government is
requested to provide the following information:

- (a) On “advocating education for all to ensure equal education opportunities for ethnic minority students in Hong Kong”, what is the Commission’s work plan? Does it have any plan to conduct a formal investigation? How much resource and manpower have been reserved?
- (b) On “studying the Integrated Education development in Hong Kong and its impact on equal learning opportunities to disabled and ethnic minority students”, does the Commission have any work plan? If yes, how much the resource and manpower have been reserved? Does the Commission have any timetable for the study?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In respect of ethnic minority students, enhancing their equal rights to quality education remains one of the work priorities of the Equal Opportunities Commission (EOC) in 2012-13.

2. After the publication of the Report on the Working Group on Education for Ethnic Minorities (the Report) in July 2011, the EOC has been liaising with the Education Bureau with a view to working out a practicable plan in response to the recommendations made in the Report. The EOC has identified three recommendations, out of the nine made in the Report, in its submission to the Legislative Council Panel on Education in December 2011, which it considers should be accorded top priority for implementation. They are to provide/strengthen Chinese learning support at pre-primary and junior primary level, provide alternative Chinese Proficiency Programme and Testing System, and develop an effective and reliable data

collection system to capture relevant information for policy formulation. While the Education Bureau has undertaken to review the support measures for schools and non-Chinese speaking students, the EOC considers that the Bureau has yet to make firm commitments or put forward concrete plans on the direction of the view in response to the EOC's recommendations. The EOC will continue to actively maintain dialogue with the Education Bureau and other stakeholders as appropriate on the matter.

3. Besides the above, the EOC will submit its views on the issue to the United Nations (UN) treaty monitoring bodies under the relevant UN human rights treaties, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, and the International Covenant on Economic, Social and Cultural Rights, as and when appropriate.

4. The EOC will also exercise its statutory power to investigate into complaints should sufficient information be provided by aggrieved parties. Regarding the suggestion of undertaking formal investigation in this respect, extensive and in-depth deliberation by the EOC Board on the effectiveness, appropriateness, timing and the scope of investigation is required before a decision could be taken.

5. The above efforts are an integral part of the EOC's work, and no separate breakdown on the resources and manpower involved is available.

6. Regarding students with disabilities, the study on their equal learning opportunities under the integrated education system is an on-going research study commissioned in October 2009 with a budget of \$494,500. The study is being conducted by the Department of Special Education and Counselling, The Hong Kong Institute of Education, and the findings and recommendations of the study are expected to be published in the second half of 2012. The work plan and other details of the follow-up actions would be worked out after concrete findings and recommendations from the study are available.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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, by the ordinances involved, the number of complaints conciliated and successfully conciliated by the Equal Opportunities Commission, the number of unsuccessful conciliation cases which have not been followed up and reasons for not following up, and the latest position of following up other unsuccessful conciliation cases in 2010 and 2011 respectively. Of the cases where conciliation is unsuccessful, what is the number of cases where the complainants have instituted civil proceedings and obtained favourable court ruling?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2010, the Equal Opportunities Commission (EOC) conducted conciliation on 280 cases, of which 192 (69%) were successfully conciliated while in 2011, the EOC conducted conciliation on 262 cases, of which 162 (62%) were successfully conciliated. A breakdown by ordinances in the respective years is listed below:

Complaints conciliated in 2010

Ordinance	Complaints conciliated	Conciliation successful	Conciliation unsuccessful
Sex Discrimination Ordinance (SDO)	95	62	33
Disability Discrimination Ordinance (DDO)	148	105	43
Family Status Discrimination Ordinance (FSDO)	10	9	1
Race Discrimination Ordinance (RDO)	27	16	11
Total	280	192	88

Complaints conciliated in 2011

Ordinance	Complaints conciliated	Conciliation successful	Conciliation unsuccessful
SDO	101	56	45
DDO	141	90	51
FSDO	11	8	3
RDO	9	8	1
Total	262	162	100

2. Complainants of cases which could not reach settlement, where applicable, could apply for legal assistance from the EOC or take civil action on their own. In 2010, the EOC granted 13 cases of legal assistance, including six cases under SDO, five cases under DDO and two cases under RDO; while in 2011, EOC granted 24 cases of legal assistance, including 14 cases under SDO and 10 cases under DDO. These cases arose from previous cases of unsuccessful conciliation, some of which covered conciliation cases in the respective years and some covered cases which arose previously. Many of these cases are on-going and have not been concluded.

3. The EOC does not keep statistics on the cases where the complainants instituted civil action on their own after unsuccessful conciliation.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : How many cases were not successfully conciliated by the Equal Opportunities Commission (EOC) in 2010 and 2011 and have to be dealt with by the court? What were the numbers of cases taken to court by the Commission in 2010 and 2011? Please list out, on a case-by-case basis, the ordinance involved, the date of granting legal assistance, the date of complaint lodged with the EOC, the date of initiating legal proceedings, the date of conclusion and the expenditure involved. Have assessments been made on the cost of establishing an Equal Opportunities Tribunal as well as the cost and effectiveness in handling every single case?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2010 and 2011, the Equal Opportunities Commission (EOC) assisted aggrieved parties in bringing their cases to court in 9 cases. The date of complaint lodged with the EOC, date of granting legal assistance, date of initiating legal proceedings, date of conclusion and expenditure involved (excluding staffing costs and general operating costs of the EOC) in each case are listed at the Annex.

2. The Administration has considered carefully the EOC's proposal to establish an Equal Opportunities Tribunal (EOT), which aims to provide a user-friendly and more informal adjudication system and addresses concerns about the complex and technical rules and procedures, the time taken to process equal opportunities claims by the District Court, and the case management powers of the court. We have also considered a paper issued by the Judiciary in September 2011 to invite views from interested parties on the review and recommendations on the institutional, legislative and procedural frameworks, rules and practice of the District Court in the adjudication of equal opportunities claims. Whilst the paper made recommendations to provide a more accessible platform for parties to pursue equal opportunities claims in court, it did not support the proposed establishment of an EOT.

3. The Judiciary has implemented the Civil Justice Reform which provides greater case management powers to the court. The Judiciary's proposed measures for the adjudication of equal opportunities claims also include adoption of a more pro-active approach in case management and use of simplified forms to provide a more informal adjudication system, which are in the same direction as the aims of the EOT but could be implemented more expeditiously. Taking into account the above, and other considerations set out in the Judiciary's paper, the Administration is of the view that the priority at this stage is to implement the improvement measures proposed by the Judiciary as quickly as possible. The need for a specialised tribunal can be further reviewed in the light of the changing circumstances after the proposed measures have been implemented. We have provided our views to both the Judiciary and the EOC.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

Annex

	Ordinance involved	Case	Date of Complaint lodged	Date of granting legal assistance	Date of initiating legal proceedings (i.e. issuance of writs)	Conclusion date	Expenditure (excluding staffing / general operating costs of EOC)* (up to 31 Dec 11)
1.	Disability Discrimination Ordinance (DDO)	Alleged disability discrimination by dismissal	9.9.08	29.6.09	24.2.10	30.12.10 (Settled)	\$10,032
2.	Sex Discrimination Ordinance (SDO)	Alleged pregnancy discrimination by not renewing employment contract	22.12.08	14.12.09	28.4.10	28.10.10 (Settled)	\$633
3.	SDO	Alleged sex discrimination in employment in terms of dress code	9.10.08	22.7.09	20.5.10	27.9.10 (Settled)	\$119,215
4.	DDO	Alleged disability discrimination by dismissal	19.11.09	21.9.09	12.7.10	30.5.11 (Settled)	\$1,857
5.	DDO	Alleged disability discrimination by dismissal	21.10.08	21.9.09	29.10.10	17.11.11 (Settled)	\$10,630
6.	SDO	Alleged sexual harassment in employment	24.7.08	27.4.09	9.12.10	Ongoing	\$940
7.	DDO	Alleged disability discrimination in employment	25.11.09	14.1.11	6.5.11	Ongoing	\$630
8.	DDO	Alleged disability discrimination in providing access to premises	1.4.08	21.9.09	8.7.11	Ongoing	\$16,339
9.	DDO	Alleged disability discrimination in employment	14.7.10	20.5.11	16.12.11	Ongoing	\$725

* The expenditure does not include manpower expenditure of EOC officers (including legal officers) and administrative costs of the EOC. The expenditure therefore varies from case to

case, depending on whether legal assistance was provided by legal counsels of EOC or external counsel was engaged. As a result, in some cases where no external counsel was involved, only minor expenditures such as court filing fees, medical report charges and photocopying fees paid to external parties are reflected, if any.

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

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 the past 3 years, what is the number of cases where government departments are involved for each year? For all cases in 2011, please list out the start dates and nature of the cases, the ordinances involved, the organisations or government departments concerned, the findings and the follow-up actions.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

During 2009-11, the Equal Opportunities Commission (EOC) initiated investigations into 59 situations (18, 17 and 24 in 2009, 2010 and 2011 respectively) involving government departments.

2. In 2011, the EOC initiated investigations into 110 situations involving government departments and public and private organisations, with 23 of them related to the Sex Discrimination Ordinance (SDO), 75 related to the Disability Discrimination Ordinance (DDO), two related to the Family Status Discrimination Ordinance (FSDO), and 10 related to the Race Discrimination Ordinance (RDO). The details of the respective cases are at Annex.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
SDO (23)		Employment (9)		
1.	Dec 11	Job advertisement using the job title “waitress”, suggesting only female job applicants would be considered.	A restaurant and a newspaper publisher	<p>The restaurant agreed that the use of the job title ‘waitress’ was misleading. The restaurant hired both male and female applicants to fill the vacancies.</p> <p>The publisher admitted omission in vetting, and undertook to remind its advertising team to strengthen the scrutiny of advertisements before publishing.</p> <p>Written advices will be issued to both.</p>
2.	Nov 11	Discriminatory recruitment advertisement - administrative clerk position opened to female only.	A publisher	The publisher admitted omission in vetting and removed the online job advertisement. Written advice issued.
3.	Nov 11	Discriminatory recruitment advertisement - administrative clerk position opened to female only.	A trading company	The company explained that the administrative clerk was expected to live with female staff deployed from overseas in the housing facilities it provided. The restriction was therefore imposed. In the future, it would consider hiring male administrative clerk to take care of the male dormitory. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
4.	Nov 11	Hiring for waiter post alleged to be restricted to male.	A restaurant	Informant could not provide detailed information. Restaurant denied such practice. Written advice on legal provision issued.
5.	Jun 11	Hiring for telephone operator position alleged to be discriminatory against male applicants.	A transportation company	The company explained that the rejection of EOC's informant for the position was due to unpleasant telephone manners. The informant provided no further information. Written advice issued.
6.	Feb 11	Dress code imposed on female teachers to wear skirts only.	A school	The school altered its dress code policy and allowed pants to be worn by female teachers. Written advice issued.
7.	Feb 11	Dress code allegedly imposed on female teachers only.	A school	The school explained that they did not require staff to wear dresses mandatorily and only wrote "modest in clothing" in the dress code. Wearing trousers to work was not prohibited. Written advice issued.
8.	Feb 11	Dress code allegedly imposed on female teachers only.	A school	The school explained that they did not require staff to wear dresses mandatorily and only wrote "proper clothing" in the dress code. The school conducted spot-check after enquiry by Education Bureau. Written advice issued.
9.	Jan 11	Hiring alleged to be discriminatory by only shortlisting male applicants for interview.	A property management company	Records showed that both male and female applicants were interviewed. No further action.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
Provision of goods and services (13)				
10.	Dec 11	No male washroom provided on a certain floor in a department store.	A department store	Male toilet facility was provided on the floor, although not within the area of the department store. No further action required.
11.	Aug 11	Messages on discounts given to only female customers were posted by merchants on a discussion forum.	A discussion forum webmaster	Webmaster admitted inability to screen every message posted, but undertook to remove the messages in question. Messages subsequently removed. Written advice issued.
12.	Aug 11	Store provided services to male customers only.	A sex shop	Operator explained that two shops located on different floors of the same building sell sex toys to female and male customers separately. Written advice issued.
13.	Jun 11	“Buy one get one free” concession offered to female customers only.	A hotel	The hotel explained that similar packages were offered previously to both male and female customers at different periods of time and the hotel would offer similar concession to male customers immediately after the one in question. The hotel did make such offer subsequently. Written advice issued.
14.	Jun 11	Half- price discount on selected items available only to female customers on ladies’ night.	A coffee shop	Operator explained that men’s night would be held in July 2011. Such discount was subsequently made. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
15.	Apr 11	Baby caring room on 5th floor of a commercial building was labeled “for ladies only”.	A property management company	The company explained that it had no intention to discriminate. The label was removed. Written advice issued.
16.	Apr 11	Free gifts to mothers to celebrate Mother’s day.	A herbal medicine shop	The shop explained that the arrangement was a promotional gimmick and no male customer had complained about it. Free gifts were given to all customers on the day. Written advice issued.
17.	Apr 11	Promotional discount for buffets to celebrate mother’s day offered to female customers only.	A hotel	The hotel offered promotional discounts in different festive seasons. The hotel would offer discounts for male customers on father’s day as well. Such offers were subsequently made. Written advice issued.
18.	Mar 11	Advertisement showing promotional discounts offered only to female customers.	A cinema	Cinema explained that the advertisement was a promotional gimmick. It apologised and made rectification. Written advice issued.
19.	Mar 11	Promotion discount alleged to be provided to female customers only.	A restaurant	Respondent denied allegation. EOC’s informant could not provide further details. Written advice issued.
20.	Mar 11	Discount given to female customers only in buying tickets and popcorn.	A cinema	Operator extended the discount to men two days after the initial launch. The company would take anti-discrimination law into consideration when offering discounts to different segments of customers. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
21.	Jan 11	More dance classes organised for male members than female members under the same membership package.	A sports centre	The centre explained that there was more demand for male classes. The centre agreed to change the arrangement to distributing cash coupons to members regardless of sex to join classes of their interests. Written advice issued.
22.	Jan 11	Provision of baby care rooms in female washrooms only.	A shopping mall	The shopping mall explained that such facilities were provided in female and unisex washrooms. It posted clearer signs to direct customers to the facilities. No further action.
Government functions or powers (1)				
23.	Mar 11	Alleged selective prosecution of only male cyclists inside a park.	Leisure and Cultural Services Department	Information by the department showed that prosecutions were made to both female and male cyclists on the day the informant was caught. No further action.
DDO (75)		Accessibility (39)		
1.	Dec 11	Turnstile installed in front of a lift, causing difficulty for wheelchair users.	A property management company	It was found that there was a wheelchair-accessible lift nearby. Company would post clearer direction sign to highlight the location of that lift. EOC is following up on the progress.
2.	Nov 11	Accessibility problem inside a newly renovated shopping mall.	A property management company	It was found that while the main entrance was not accessible due to physical limitation, wheelchair users could enter the mall from another entrance or contact the receptionist for assistance. No further action.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
3.	Nov 11	Accessibility of a residential building.	An owners' incorporation	The owners' incorporation proposed possible arrangement to provide access to wheelchair users, including the building of a permanent or removable ramp. Informant accepted the arrangement after a meeting with the incorporation. No further action.
4.	Nov 11	A bus stop platform at the Hung Hom Cross Harbour Tunnel Bus Interchange not accessible by wheelchair users.	Transport Department	The department has designated a location on the platform for wheelchair users' boarding and alighting. The department was advised to improve the direction signs. The EOC will follow-up.
5.	Nov 11	No tactile paths and direction signs at a housing estate.	An owners' incorporation	The barrier-free facilities in the estate were found to be unsatisfactory. The owners' incorporation agreed to rectify. Written advice issued and the EOC will follow-up.
6.	Oct 11	No drop kerbs provided at a bus terminal located inside a public housing estate.	Housing Authority / Department	The department committed to renovate the bus terminal to cater for the needs of persons with disability. Written advice issued.
7.	Sep 11	Pedestrian pathways connecting Pat Heung Road and Tai Lam Tunnel Interchanges not accessible by wheelchair users.	Highways Department	The department explained that there was a wheelchair-accessible alternative route. The informant was not satisfied with the explanation and filed a formal complaint, which is now under investigation.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
8.	Aug 11	Stepped ramp linked to a footbridge in Kowloon Bay, posing difficulties for those with mobility difficulties.	Highways Department	Department undertook to provide barrier-free access facilities in that footbridge by 2016-17.
9.	Aug 11	No automatic doors installed at entrances of a shopping mall, causing difficulty for wheelchair users.	A property management company	The management company planned to install an automatic door at the main entrance when the shopping mall undergone renovation. No time table set. Staff of the mall would assist wheelchair users in need in the interim. Written advice issued.
10.	Aug 11	A signage post planted in a pavement blocked passage of wheelchair users.	Transport Department	The department undertook to relocate the post to allow more room for passage. Written advice issued.
11.	Jul 11	Lack of barrier-free access facilities in a housing estate.	An owners' incorporation	There were structural limitations in building ramps. Owners agreed to consider rectification measures, such as stair climber. Written advice issued.
12.	Jul 11	Allegedly no barrier-free access to a residential building.	A property management company	Site inspection visit confirmed the existence of an accessible path to the building. No further action required.
13.	Jul 11	Level difference between pedestrian way and main entrance of a building.	An owners' incorporation	The owners' incorporation undertook to look into the feasibility of building a ramp. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
14.	Jul 11	Level difference between pedestrian way and main entrance of a building.	A property management company	The management company undertook to assist needy visitors. Meanwhile it looked into the feasibility of building a ramp. Written advice issued.
15.	Jul 11	No lift installed in a footbridge crossing New Clear Water Bay Road.	Highways Department	Department explained that it had received similar requests, and had conducted Territory-wide feasibility study on improvement of footbridges. But the location concerned had physical limitations. No further action required.
16.	Jul 11	Lack of barrier-free access in a housing estate. Informant submitted proposal on construction of lifts, covered walkways and ramps.	Housing Authority / Department	Department explained that feasibility study to improve accessibility was conducted in 2008 but structural difficulties in some areas were found. Installation of passenger lifts was not feasible due to landscape restriction. Some proposed improvements also involve areas outside the estate. Alternate routes were available. Written advice issued.
17.	Jul 11	No lift installed in a footbridge connecting Choi Fai Estate and Choi Wan Estate.	Housing Authority / Department	Department explained that there were other accessible routes nearby for wheelchair users, while due to space limitation lifts could not be installed. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
18.	Jul 11	No ramp access to a supermarket located in a shopping centre.	A property management company	Structural limitation restricted the building of standard ramps. The company agreed to acquire a stair climber, and wheelchair users could make use of an alternate route to the supermarket in the meantime. No further action required.
19.	Jul 11	A step in front of one of the entrances of a shopping centre, posing difficulties for those with mobility difficulties.	A property management company	An alternate route was available for wheelchair users. Management company was advised in writing to post up notice to direct wheelchair users to the accessible route. Written advice issued.
20.	Jul 11	One of the entrances in a shopping centre suspected to be substandard, causing difficulty for wheelchair users.	A property management company	While the entrance was narrow, it was found to be wide enough for wheelchair users to pass through, and entrances with wider passage were nearby. No further action required.
21.	Jun 11	Entrance of a building not having accessible facilities for wheelchair users.	A management company	Management company explained that due to structural beams beneath the steps at the entrance, it was impossible to build a standard ramp. It installed a doorbell for customers in need to call for assistance from building staff. Written advice issued.
22.	Jun 11	Two stair entrances of a building do not have access facilities for residents who are wheelchair users.	Owners' incorporation	Inspection revealed that physical limitation presented hardship to building a standard ramp on the steep landscape on which the building is situated. The owners had discussed ways to improve the situation. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
23.	Jun 11	Alleged blockage of tactile guide path in a public housing estate by recycling bins.	Housing Authority / Department	Inspection confirmed the department's explanation that there was no blockage. No further action required.
24.	Jun 11	No drop kerb at a road crossing inside an estate.	Owners' incorporation	The owners' incorporation needed to clarify the land rights and legal liability before any rectification could be made. Meanwhile, it had asked the management office to post a notice in the area concerned, informing persons in need to seek assistance from the care-takers. Written advice issued.
25.	Jun 11	Metal poles installed in front of lifts, blocking the passage of wheelchair users into the lifts.	A property management company	The management company removed the poles. Written advice issued.
26.	May 11	Stair entrance of a building does not have access facilities for residents who are wheelchair users.	A management company	The company was aware of this issue but a previous proposal for improvement was voted down by owners due to cost implications. It would consider the matter when sufficient funding is available for renovation. Written advice issued.
27.	May 11	Residents of Tseung Kwan O urged for a footbridge connecting the Sheung Tak Estate and Tseung Kwan O MTR Station.	Transport Department and Highways Department	Site inspection found that routes joining the estate and the MTR station were accessible. No further action required.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
28.	Apr 11	Train platforms allegedly not accessible by wheelchair users.	A public transport operator	Accessible ramp already built at one end of each platform. Operator agreed to build another set of ramps if the adjacent land owner granted permission to build ramp on latter's land. No further action required.
29.	Mar 11	Flight of stairs at the entrance to village, posing difficulties for those with mobility difficulties.	Lands Department and Home Affairs Department	Departments proposed to build an alternate path after feasibility study. Written advice issued.
30.	Mar 11	No barrier- free access at a residential building.	A property management company	The company explained that a stair climber was available to carry wheelchair users entering the building. Inspection found that physical limitation prevented the building of a ramp complying with building standards. Written advice issued.
31.	Mar 11	No barrier-free route connecting the ground floor and the podium level in a housing estate.	A property management company	The management company explained that installation of a connecting lift was previously proposed, but was objected by some owners. Under the Deed of Mutual Covenant, it could not proceed with the renovation without consent from all owners. No further actions required.
32.	Feb 11	Guide dogs allegedly not allowed to enter a shopping mall.	A property management company	The company explained that there was no such ban. Informant acknowledged that there might be some misunderstandings. No further action required.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
33.	Feb 11	No automatic door in a shopping centre, causing difficulty for wheelchair users.	A property management company	The shopping center is in an old building. The design complied with the old building code which did not impose requirement on installing automatic doors. It will provide assistance when required. Written advice issued.
34.	Feb 11	Metal poles installed in front of passenger lift.	A property management company	The company explained that the poles are installed to prevent the misuse of passenger lift as cargo lift. Watchmen would assist wheelchair users and remove the metal poles as needed. No further action required.
35.	Feb 11	One of the entrances of a playground in Kwun Tong can only be reached by walking up a flight of 4 to 5 storey high.	Leisure and Cultural Services Department	The playground situates in the hillside. There are other entrances which are accessible from vehicle road. No further action required.
36.	Jan 11	A covered area in a housing estate is inaccessible by wheelchair users.	An owners' incorporation	The covered area is a raised platform. The incorporation explained that facilities in the area (such as waste collection and recycling bins, notice board, etc.) could also be found elsewhere in the estate. A wheelchair-bound resident subsequently lodged a formal complaint and EOC is following-up the case.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
37.	Jan 11	One end of a footbridge connecting to Lok Fu Centre was alleged to be too steep and narrow for wheelchair users.	Housing Authority / Department	Site visit was conducted. Ramp connecting the footbridge complied with the standard set in building code. No follow-up action required.
38.	Jan 11	No ramps at the entrances of two residential buildings in San Po Kong.	A property management company	The company invited professionals to make technical assessment. The professionals concluded that there was not enough room to build ramps that comply with building code. Written advice issued.
39.	Jan 11	Lack of barrier free access to a building located on hill top other than a vehicle road, which residents preferred not to use as it would take longer travelling time.	Home Affairs Department	Inspection confirmed the department's explanation that it was impracticable to construct a ramp or lift due to geographical limitations. No further actions required.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
Education (1)				
40.	Dec 11	Alleged non-provision of native English teachers for students with intellectual disabilities.	Education Bureau	Enquiry made with the Bureau. Substantive reply has not been provided as relevant court proceedings are ongoing. The EOC will follow-up.
Government functions or powers (1)				
41.	Jul 11	Lack of specific guidelines to mechanics on how to install steering knob for drivers with different disabilities.	Transport Department	The department undertook to remind companies engaging in the alterations to be more alert to specific requirements. General guidelines might not be useful because different requirements are applicable to drivers with different disabilities. Written advice issued.
Provision of goods, services & facilities (34)				
42.	Dec 11	Refusal to provide service to a wheelchair user by a taxi driver.	A taxi driver	Attempted to contact the driver concerned but no response received. As the issue may constitute an offence, the EOC advised the aggrieved person to complain to the Transport Complaint Unit of the Transport Advisory Committee.
43.	Dec 11	Concern raised on the absence of guide paths leading to “e-channel” at immigration control points.	Immigration Department	The department is looking into the matter, and the EOC will follow up as appropriate.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
44.	Dec 11	Only payment receipt numbers were announced for the collection of medicine at an outpatient clinic. Patients with visual disability had difficulty in reading the receipt numbers and often missed the calls.	A public hospital	The hospital explained that, for privacy reason, receipt numbers rather than names of patients were announced at the dispensary. Special measures were made to cater for the special needs of patients. The hospital undertook to remind the frontline staff to be mindful of such needs. Written advice issued.
45.	Nov 11	Patients are not allowed to change appointment of booking by telephone, which might adversely affect patients with visual disability.	A public hospital	The hospital agreed to allow patients to change bookings by telephone. No further action required.
46.	Nov 11	A public housing tenant, who used wheelchair occasionally, was allegedly denied transfer to a suitable public housing flat.	Housing Authority / Department	The department responded that it had policy to meet tenants' special needs and had not rejected the transfer request in question, but time was required in processing the request. The situation was explained to the tenant. No further action required.
47.	Nov 11	Alleged vilifying message posted on an online discussion forum, criticising the service quality of a coffee shop employee with intellectual disability.	Web-master of an online discussion forum	The EOC was unable to contact the person posting the message directly due to technical difficulties. The message in question was removed by the web-master. Written advice issued. The web-master was requested to forward a similar message to the person posting the message.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
48.	Nov 11	A wheelchair couple was informed at the time of booking a flight that they might not be allowed to board the plane if they had no able bodied companion accompanying them.	An airline company	Upon intervention by the EOC, the airline agreed to allow the couple to get on board after understanding their conditions in detail. No further action required.
49.	Nov 11	Alleged refusal of service for people with mental disabilities.	A beauty salon	The EOC was unable to locate the salon concerned by various means. Informant could not provide further information. No further action could be taken.
50.	Nov 11	Alleged refusal of skin-care / spa service for people with mental disabilities.	A marketing company	The company reviewed taped conversation between its marketing staff and the informant, and explained that misleading answers were made by the staff. Disciplinary action taken against the staff. Written advice issued.
51.	Nov 11	Insufficient low-floor buses serving a particular bus route.	A public transport company	The company explained that due to limitation of its fleet, the bus company could only provide 6 low-floor buses to serve the route. More low-floor buses would serve the route in near future as the company replaces buses of old models with low-floor buses. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
52.	Nov 11	A nurse posted the name of a patient with intellectual disability on a social networking site. The act was allegedly discriminatory.	A public hospital	The hospital has given warning to the nurse, and issued email to all staff reminding them to observe the “code of professional conduct and code of ethics”. Training provided by the EOC will be arranged.
53.	Oct 11	Wheelchair users could only access the 3 rd floor of a shopping mall using one particular passenger lift, which was dirty and smelly.	A property management company	Site inspection was conducted and the service complaint was relayed to the management company. The company undertook to maintain a clean and hygienic environment to shoppers. Written advice issued.
54.	Sep 11	Alleged insufficient wheelchair accessible buses serving Tsing Yi area from an informant.	A public transport company	No detail was given by the informant. The company explained that the number of low-floor buses serving the area was increasing under its improvement plan. It agreed to accommodate the special needs of users when more specific information was available. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
55.	Aug 11	<p>Issues concerning wheelchair seats in a cinema raised by an informant:</p> <p>(a) Location of wheelchair seats in mini-theatres not clear.</p> <p>(b) Locations of wheelchair seats were at corners or next to corridor, and wheelchair users could not choose locations as other viewers.</p> <p>(c) Only 1 wheelchair seat was available in each of 2 mini-theatres.</p> <p>(d) On-line ticket reservation / purchase service was not provided to wheelchair users.</p>	A cinema.	<ul style="list-style-type: none"> - Re (a), the cinema apologised for giving incorrect information on wheelchair seats to the informant. - Re (b), the cinema explained that the fixing of wheelchair seats at corridor is for easy access. - Re (c), the cinema explained there were 4 wheelchair seats in the mini-theatres. - Re (d), the cinema admitted omission. <p>The informant pursued issue (d) by lodging a formal complaint. Parties later came to an agreement, with the cinema pledging to provide on-line ticket purchase for wheelchair seats before March 2012.</p>
56.	Aug 11	Patients with severe mental disorder or suicidal tendency were allegedly denied hospital services.	A private hospital	<p>The hospital explained that it did not refuse admission or treatment of patients suffering from psychiatric conditions, and that a notice issued to remind doctors on the admission of patients suffering from psychiatric condition might have caused the misunderstanding. Written advice issued.</p>

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
57.	Aug 11	Poor attitude displayed by a watchman towards a resident with visual impairment.	A property management company	The informant was unable to identify the particular watchman. Written advice issued. The company undertook to remind its employees on service quality.
58.	Aug 11	Not enough ticket selling counters at HK Food Expo.	A trade promotion organiser	No apparent discriminatory act was found.
59.	Aug 11	No safety belts and wheelchair space for wheelchair users on ferry.	A ferry operator and Transport Department	No statutory requirement in force. The concern was referred to the operator and the department, and written advice issued to them.
60.	Aug 11	No handrails at ground floor of a shopping mall to assist people with walking difficulties.	A property owner	Owner undertook to install handrails as a service improvement measure by the end of 2011-12. The EOC is following up the case.
61.	Jul 11	Alleged failure to arrange a low-floor bus to serve a specific route at specific time on a particular day.	A public transport company	The company explained that it could not provide low-floor buses for all routes at all time. Passengers with special needs could call the service hotline for special arrangements. More low- floor buses would be available over time as the company undergoes upgrading program. No further action required.
62.	Jul 11	Some photos on a company website did not have “alternative texts” for images attached to enable readers with visual impairment to understand the photo contents.	A telecommunication company	Company had added “alternative texts” features to the graphics and images. No further action required.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
63.	Jun 11	No audio announcement system at an outpatient clinic.	A public hospital	The hospital explained that there were arrangements in place to facilitate patients with visual impairment. Staff members were required to render assistance where necessary. Written advice issued.
64.	Jun 11	No handrails on ground floor of a shopping mall to assist people with walking difficulties.	A property management company	The company explained that the location concerned was not under its management. No further action required on the company. The EOC pursued the issue with the owner of the premises (item 60 above).
65.	May 11	Disabled toilet in the restaurant was locked.	A restaurant	The restaurant explained that the disabled toilet was under renovation at the time. The toilet was reopened in July 2011. Written advice issued.
66.	May 11	No wheelchair accessible buses running a particular route.	A public transport company	Company undertook to deploy 3 to 4 low-floor buses for the route in question. It also suggested persons with special needs to call its hotline for special arrangements. Written advice issued.
67.	May 11	Disabled toilet only available on G/F but not 1/F in a sport centre.	Leisure and Cultural Services Department	Site visit identified no unlawful act as the disabled toilet at G/F is readily accessible for users in need.
68.	May 11	No safety belts at the multi-purpose space in train cars. This was alleged to be unsafe for wheelchair users.	A public transport company	The operator explained that safety tests according to current safety measures had been conducted. The test results concluded that the present design was sufficient. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
69.	May 11	Access of lifts to the first floor of a building, which leads to restaurant, was disabled.	A management company	The company explained that there were buttons inside the lifts for persons in need to ask their staff to stop the lift at first floor. Written advice issued.
70.	Apr 11	Failure to give assistance to wheelchair passengers to get on board of a bus.	A public transport operator	The operator took action against the bus driver in question, and agreed to provide training to all bus drivers on passenger safety. A booklet on the subject was issued. No further action required.
71.	Apr 11	The web design contained “flash” mode without corresponding “text only” mode, and people with visual impairment had difficulty in reading the content.	A telecommunication operator	The operator agreed to provide corresponding “text only” mode, and invited the customers to call its hotline if they would like to obtain the information posted on the website. Written advice issued.
72.	Feb 11	Priority allegedly given to non-wheelchair users when queuing for tables in a restaurant.	A restaurant	Restaurant operator undertook to remind receptionists to treat all customers fairly and politely. Information provided by the informant regarding the incident was minimal. No further action could be taken.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
73.	Feb 11	A shop staff asked a boy suffering from Down Syndrome to play act Bruce Lee, which was recorded and posted on a video sharing website. The act of the staff was allegedly discriminatory.	A shop staff	The EOC convened a face-to-face meeting between the shop staff and the family of the boy. The staff apologised to the boy and his family member. Written advice issued to the shop staff.
74.	Jan 11	Some wheelchair users found that the leaning ledges design at the multi-purpose area in the train was not user-friendly.	A public transport operator	The operator modified the leaning ledges into handrails for easier gripping. Modification work completed in June 2011.
75.	Jan 11	Students from special schools have difficulties in getting group concessions in buying museum tickets because of its limited school size.	Leisure and Cultural Services Department	The department had reviewed its policy and agreed to exercise discretion to groups with special needs. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
FSDO (2)		Provision of goods, services & facilities (2)		
1.	Sep 11	Metal poles were installed at the exit of a supermarket. People with baby prams had difficulty in leaving the store. The staff offered no assistance.	A supermarket operator	The operator explained that the poles were movable. It undertook that its staff would provide assistance when necessary. Written advice issued.
2.	Jun 11	Customer pushing two baby prams was not served in a restaurant.	A restaurant	The restaurant explained that there was misunderstanding between its staff and the informant. The informant accepted the restaurant's apology. The restaurant also gave guidelines to its staff on how to serve people with different needs. Written advice issued.
RDO (10)		Employment (1)		
1.	Jul 11	Different pay scales for actors of different races in identification parades.	Hong Kong Police Force	For reasons of authenticity, actors of different races are required. The difference in pay was due to difference in demand and supply, and was not found to be discriminatory. No further action required.
		Management of premises (1)		
2.	Aug 11	Residents' meetings were held in English.	A property management company	The company would provide at least three staff to offer simultaneous interpretation services to members or observers of the meetings who have difficulty in using English. Related documents are written in both English and Chinese. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
Provision of goods, services & facilities (8)				
3.	Nov 11	Only English information was provided in one of the activities section of the webpage of a statutory board.	A statutory board	The board explained that the participants in the activity in question were non-Chinese speaking, as shown by statistics. The board would consider providing bilingual information in respect of all activities in the future. Written advice issued.
4.	Sep 11	Residents meetings were held in English. (related to item 2 above)	Residents' village committee	The committee referred to the management company to reply. See item 2 above. Written advice issued.
5.	Aug 11	Chinese version of a webpage not available.	A statutory body	The body explained that information was outdated and the English version of the page would also be removed. Written advice issued.
6.	Jul 11	Hate remarks made against person of the Filipino race on a website.	A web-master	Upon the EOC's notification, the web-master removed the racist remarks. Written advice issued.
7.	Jun 11	A foreign domestic helper was disallowed to use the trolley to carry groceries from a supermarket to a car park, whereas her expatriate employer was not stopped in the past when doing the same.	A supermarket operator	The operator explained that shoppers could use the trolley for carrying groceries to the car park upon producing sale receipts. On that particular occasion, the receipt was not with the helper. The operator agreed to remind the security guard to be more flexible in enforcing its house rule or to seek advice from senior staff in dealing with special situations. Written advice issued.

	Start date of the case	Nature	Organisations and departments concerned	Findings and follow up actions
8.	May 11	Entrance fee allegedly imposed on foreign domestic helpers using lift service of a building on Sundays and public holidays.	Owners' incorporation	It was found that entrance fees were charged on all persons using the lift service. The incorporation was advised in writing on relevant provisions of the RDO.
9.	Jan 11	Alleged refusal to provide curry meal to Chinese passengers by a restaurant on a cruise ship.	A cruise operator	The operator denied the allegation. The informant subsequently lodged a formal complaint, but did not give further information, and dropped the case afterwards.
10.	Jan 11	Only information in Chinese was provided on the poster of a Chinese chess competition.	Leisure and Cultural Services Department	The department explained that information in English was published on the website. Written advice issued.

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

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 give a summary of cases where legal assistance was granted by the Equal Opportunities Commission in 2011 under the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance. Please also list out the organisations or government departments involved, findings of the investigations and the expenditure involved.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

In 2011, 24 cases of legal assistance were provided by the Equal Opportunities Commission (EOC), including 14 cases under the Sex Discrimination Ordinance (SDO) and 10 cases under the Disability Discrimination Ordinance (DDO). The details are listed at Annex.

2. As regards the identity of the parties involved, the EOC considers it inappropriate to disclose the information as some of the cases are on-going and publicity may have an effect on the conduct of the case, and for those settled on confidential terms, such disclosure may lead to a breach of confidentiality.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

Details of cases of legal assistance granted in 2011

No.	Legislation	Description	Status	Expenses*
1.	SDO	Alleged pregnancy discrimination in employment by less favourable employment terms	Parties settled in June 2011	-
2.	SDO	Alleged victimization and dismissal	Parties settled in June 2011	-
3.	SDO	Alleged pregnancy discrimination in employment and dismissal	Parties settled in August 2011	\$30
4.	SDO	Alleged pregnancy discrimination in employment by refusal to offer employment	EOC withdrew assistance of the case because the applicant did not respond.	-
5.	SDO	Alleged pregnancy discrimination in employment and dismissal	Ongoing	\$1,532
6.	SDO	Alleged sexual harassment in employment	Ongoing	\$69.3
7.	SDO	Alleged sexual harassment in employment	Ongoing	-
8.	SDO	Alleged sexual harassment in employment	Ongoing	-
9.	SDO	Alleged pregnancy discrimination in employment and dismissal	Ongoing	-
10.	SDO	Alleged sexual harassment in employment	Parties settled in December 2011	-
11.	SDO	Alleged pregnancy discrimination in employment and dismissal	Ongoing	-
12.	SDO	Alleged pregnancy discrimination in employment and dismissal	Ongoing	-

No.	Legislation	Description	Status	Expenses*
13.	SDO	Alleged sex discrimination in employment by less favourable employment terms	Ongoing	-
14.	SDO	Alleged sexual harassment in employment	Ongoing	-
15.	DDO	Alleged disability discrimination in employment and dismissal	Ongoing	\$630
16.	DDO	Alleged disability discrimination in employment by less favourable employment terms	Applicant withdrew the case in October 2011 upon further consideration	\$120,000
17.	DDO	Alleged disability discrimination in employment and dismissal	Ongoing	\$725
18.	DDO	Alleged disability discrimination in providing access to premises	Ongoing	\$25
19.	DDO	Alleged disability discrimination in provision of public transport service	Ongoing	-
20.	DDO	Alleged disability discrimination in providing access to premises	Ongoing	\$330
21.	DDO	Alleged disability discrimination in employment and dismissal	Ongoing	\$765
22.	DDO	Alleged disability discrimination in providing access to premises	Ongoing	-
23.	DDO	Alleged disability discrimination in employment and dismissal	Ongoing	-

No.	Legislation	Description	Status	Expenses*
24.	DDO	Alleged disability discrimination in providing access to premises	Ongoing	\$564

* The expenses do not include manpower expenditure of EOC officers (including legal officers) and administrative costs of the EOC. The expenditure therefore varies from case to case, depending on whether legal assistance was provided by legal counsels of EOC or external counsel was engaged. As a result, where no external counsel was involved, only minor expenditures such as court filing fees, medical report charges and photocopying fees paid to external parties are reflected, if any. The above table is on cases of legal assistance granted in 2011. The expenditure on cases with legal assistance granted before 2011 and ongoing in 2011-12 is not reflected above. Taking into account cases granted legal assistance before 2011 which were ongoing in 2011-12, the total expenditure of the EOC on legal assistance is estimated to be around \$491,000 in 2011-12.

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

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 : What is the number of research studies conducted by the Equal Opportunities Commission on subjects relating to discrimination and equal opportunities in 2011-12? Please list out the research studies, the research institutions commissioned, the start date and completion date, the expenditure and the staffing and establishment of the Commission responsible for the studies.

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The research studies commissioned by the Equal Opportunities Commission (EOC) in 2011-12 and the relevant details are listed at the Annex.

2. Research organisations have been commissioned by the EOC to conduct the studies, while the Policy and Research Unit of the EOC is responsible for conducting policy reviews, liaisons and advocacies to combat systemic discrimination and facilitate mainstreaming of equal opportunities in society, co-ordination and supervision of commissioned empirical studies or surveys, and other policy and research-related work. The Unit is headed by a Chief Equal Opportunities Officer, with a total of 6 staff members.

Signature _____

Name in block letters **JOSHUA LAW**

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

Research studies conducted by the Equal Opportunities Commission in 2011-12

Research Study	Responsible institution	Start and completion / expected completion dates	Expenditure*
Second Baseline Survey on Public Attitudes towards Persons with a Disability	Policy 21 Limited	October 2009 – September 2011	\$200,000
Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System	Department of Special Education and Counselling, The Hong Kong Institute of Education (HKIEd)	October 2009 – June 2012 (expected)	\$494,500
In-depth Study on Racial Encounters and Experience in Discrimination	Centre for Civil Society & Governance of the University of Hong Kong and Policy 21 Limited	March 2010 – March 2012 (expected)	\$99,000
Study on Students' Sexual Attitudes and Views on Sexual Harassment	Department of Special Education and Counselling, HKIEd	December 2010 – September 2012 (expected)	\$373,060
Exploratory Study on Gender Stereotyping and Its Impacts on Male Gender	The Gender Research Centre, Hong Kong Institute of Asia-Pacific Studies, the Chinese University of Hong Kong	January 2011 – June 2012 (expected)	\$382,901
Equal Opportunities Awareness Survey 2012	N/A (At procurement stage)	Expected to commence in 2011-12 and last for 12 months	N/A (At procurement stage)

* The expenditure excludes staff costs as this cannot be attributed to individual studies, and represents EOC's payment to external parties in respect of the research studies, which may spread over different years.

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

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 the schedule on the submission of reports to the United Nations (UN) human rights treaty monitoring bodies in accordance with the requirements under the 7 human rights treaties applicable to the Hong Kong Special Administrative Region (HKSAR), status of the submission, and the schedule for the relevant monitoring bodies to raise questions and conduct hearings in respect of the reports of the HKSAR. Will it be necessary for the HKSAR Government to dispatch a delegation to attend the meetings of the UN human rights treaty monitoring bodies in 2012-13? If yes, what are the details?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The due dates and status of submission for the reports of the Hong Kong Special Administrative Region (HKSAR) in respect of the seven United Nations (UN) human rights treaties are set out below -

UN Human Rights Treaty	Due date of submission of report	Status of submission of report
Convention on the Rights of the Child	31 May 2009	Submitted to the UN**
International Covenant on Economic, Social and Cultural Rights	30 June 2010	Submitted to the UN
Convention on the Rights of Persons with Disabilities*	31 August 2010	Submitted to the UN

UN Human Rights Treaty	Due date of submission of report	Status of submission of report
Convention on the Elimination of All Forms of Discrimination Against Women *	September 2010	Submitted to the UN**
International Covenant on Civil and Political Rights	Within 2010	Submitted to the UN
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	12 November 2012	Report to be prepared and submitted
International Convention on the Elimination of All Forms of Racial Discrimination	28 June 2013	Report to be prepared and submitted

* Under the coordination of the Labour and Welfare Bureau

** In accordance with the established practice, these two reports will be made available to the public after the UN publicises the reports whereas the other submitted reports have been published.

2. For the reports submitted, the hearing schedules have yet to be fixed by the relevant UN treaty monitoring bodies, and we have yet to receive the questions from these bodies in respect of our reports.

3. We will continue to co-ordinate attendance of the HKSAR Government representatives at meetings of the relevant UN human rights treaty monitoring bodies as required. At present, we are not aware of any such meetings in 2012-13 that will involve our participation.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : How much was spent on enhancing public awareness of and respect for rights of the individual in the past 3 years? Has the Government assessed the effectiveness of these promotional activities in enhancing public awareness of and respect for rights of the individual?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) has been promoting awareness of, respect for and protection of human rights through the allocations to the programmes “Rights of the Individual” and “Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data”.

2. The expenditure / estimated expenditure of the CMAB under these two programmes from 2009-10 to 2011-12 are as follows -

	2009-10 (Actual expenditure)	2010-11 (Actual expenditure)	2011-12 (Revised estimates)
Total	\$167.3 million	\$178.2 million	\$158.1 million *

* To step up and coordinate efforts in the provision of support services to ethnic minorities, the responsibility of providing support services to ethnic minorities was transferred from the CMAB to the Home Affairs Department (HAD) starting from 2011-12. This involves the transfer of \$26.3 million from the CMAB to the accounts of the HAD from 2011-12 onwards. The CMAB continues to be responsible for the overall policy on equal opportunities on the ground of race as well as the Race Discrimination Ordinance.

3. Under the CMAB, the relevant work includes promoting the rights of the individual in respect of personal data privacy, equal opportunities irrespective of gender, family status and race and for people of different sexual orientation and transgendered persons, and children's rights; while the Equal Opportunities Commission and the Privacy Commissioner for Personal Data carry out their publicity, promotion and education programmes and enforcement work for areas within their statutory framework. The effectiveness of these programmes is monitored through such means as feedback questionnaires from participants in the programmes and community feedback as appropriate. From the feedback obtained, the promotional activities are generally effective in achieving the objectives.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 list out the expenditure items, organisers, target groups and expenditures incurred in respect of each item for human rights education in 2011-12 as well as the expenditure estimated for human rights education in 2012-13 and the main area of activities. Are there any dedicated staff under the Constitutional and Mainland Affairs Bureau to look into the work and budget of other government departments for human rights education through channels like school education, community activities and other publicity activities? If yes, what was the expenditure incurred by various government departments on human rights education in 2011-12?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government's work on human rights education spans across several policy bureaux, including mainly the Home Affairs Bureau (HAB), the Education Bureau (EDB), and the Constitutional and Mainland Affairs Bureau (CMAB).

2. The CMAB has been promoting awareness of, respect for and protection of human rights through the allocations to the programmes "Rights of the Individual" and "Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data". Under these two programmes, the revised estimates of expenditure for 2011-12, and the estimated expenditure for 2012-13 are \$158.1 million and \$167.1 million respectively.

3. The expenditure items, organisers and target groups of the relevant programmes and events in 2011-12 under the CMAB, excluding those carried out by the Equal Opportunities Commission (EOC) and the Office of the Privacy Commissioner for Personal Data (PCPD), are listed at the Annex.

4. In 2012-13, the CMAB will continue its work on promoting the rights of the individual in respect of personal data privacy, equal opportunities irrespective of gender, family status and race and for people of different sexual orientation and transgendered persons, and children's rights. The EOC and the PCPD will continue to carry out their publicity, promotion and education programmes and enforcement work for areas within their statutory framework.

5. The staff of the CMAB work closely with other Government bureaux and departments for the promotion of human rights. For example, the EDB has been facilitating the promotion of human rights education in schools, through measures such as embedding related learning elements in the curriculum, organising teacher professional development programmes, and developing learning and teaching resources, while the HAB has been promoting civic education, including human rights and national education, in collaboration with the Committee on the Promotion of Civic Education (CPCE), through means such as providing sponsorship to community organisations to organise civic education activities and producing publicity programmes and materials.

6. Regarding the expenditure incurred in 2011-12, expenditure related to human rights education constitutes an integral part of the EDB's expenditures, and a separate breakdown of the expenditures for human rights education is not available from the EDB. Under the funding of the HAB, the estimated expenditure of the CPCE in 2011-12 as a whole is about \$20.3 million, while a breakdown by the promotion of specific values or civic concepts is not available.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

Activities on promoting rights of the individual in 2011-12 under the CMAB

Activities	Responsible organisation	Target
Publication of United Nations Human Rights reports	CMAB	Members of the public
Forums	CMAB	Members of the public, in particular interested non-government organisations
Equal Opportunities (Gender Identity and Sexual Orientation) Icon Design Competition	CMAB	Members of the public
Equal Opportunities (Sexual Orientation) Funding Scheme	Sponsored organisations	Members of the public
Announcement in the public interest (API) on the radio and MTR advertisement on equal opportunities for sexual minorities	CMAB	Members of the public
Children's Rights Education Funding Scheme	Sponsored organisations	Members of the public, in particular children
Children's Council	Sponsored organisation	Members of the public, in particular children
API on children's rights on TV, radio, MTR and Roadshow	CMAB	Members of the public, in particular children
API on the Code on Access to Information on TV, radio, Roadshow, Newline Express and the Internet; advertisement at MTR stations and bus body.	CMAB	Members of the public

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

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 consulting the public on the Law Reform Commission recommendations on stalking, please provide the following information:

- (a) In drafting the consultation paper, had the Administration conducted any study or discussion forum, or discussed with experts and stakeholders in the past 2 years? If yes, please list out the related activities, the manpower involved and the expenditure items.
- (b) How much manpower and expenses have been earmarked for conducting public consultation in 2012-13? Please list out the consultation activities and the estimated expenditure for each activity.
- (c) How much manpower and expenses have been earmarked for studying the views received during the public consultation and for formulating the way forward? When will the study be completed, and the findings and follow-up plan released?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

(a) Over the past two years, the Constitutional and Mainland Affairs Bureau has studied the relevant issues, conducted research, and discussed with relevant bureaux and departments for the purpose of preparing the Consultation Paper on Stalking. As the above work is undertaken as part of the work of the subject officers concerned, no separate expenditure figures are available.

(b) The Government issued the Consultation Paper on Stalking in December 2011 to invite public views on the proposal to legislate against stalking and the key elements of the proposed legislation. The consultation exercise will end on 31 March 2012. We have not earmarked resources for conducting public consultation in 2012-13.

(c) After the consultation exercise, the Government will analyse and consolidate the views received and prepare a report setting out the views received. Such work is undertaken as part of the work of the subject officers concerned, and no separate expenditure figures are available. We aim to complete the report within 2012 for the next term government to decide on the proposed way forward.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 were the measures taken and activities organised by the Government in the past 2 years to commemorate the 20th anniversary of the enactment of the Hong Kong Bill of Rights Ordinance? What were the resources involved respectively and what were the costs? How much resources have been earmarked by the Government in 2012-13 for the publicity and promotion of the Hong Kong Bill of Rights Ordinance?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government is committed to the promotion of human rights as guaranteed under the Basic Law, the Hong Kong Bill of Rights Ordinance (HKBORO) and relevant international human rights treaties as applied to Hong Kong. Whilst there is no expenditure specifically dedicated to commemorate the 20th anniversary of the enactment of the HKBORO, promotion of human rights has been carried out through various channels, including sponsorship for non-government organisations to organise promotional activities, educational programmes at schools, roving exhibitions, media campaigns in the form of television and radio announcement in the public interest, publication and distribution of bilingual booklets on the text of the human rights treaties applied to HKSAR, and training of Government officials on the HKBORO. Relevant organisations such as the Equal Opportunities Commission also conducted public education and publicity programmes to raise awareness and promote better understanding of relevant human rights concepts in the community. The above promotional efforts will continue in 2012-13. There is no separate breakdown for the provision related to the promotion of the HKBORO as it is part of the work on the promotion of human rights.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 are the amounts of provision earmarked by the Government for the promotion of equal opportunities for people of different sexual orientations in the past 3 years and in 2012-13? What are the initiatives involved and how effective are they?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Government promotes equal opportunities for people of different sexual orientation and transgendered persons through the work of the Gender Identity and Sexual Orientation Unit (the Unit). The work over the past three years includes:

- (a) sponsoring worthwhile community projects through the Equal Opportunity (Sexual Orientation) Funding Scheme (the Scheme);
- (b) maintaining a hotline for enquiries and complaints on issues relating to sexual orientation and gender identity; and
- (c) organising publicity and education programmes.

These measures have helped promote the message of non-discrimination on grounds of sexual orientation and gender identity.

2. In 2012-13, the Unit will continue to sponsor worthwhile community projects through the Scheme, maintain the hotline, and organise various publicity programmes (such as open competition on promotion materials) to further promote equal opportunities for sexual minorities.

3. The provisions for these activities (including the staff cost of the Unit) in the past three years and 2012-13 are as follows –

2009-10 (Actual)	2010-11 (Actual)	2011-12 (Revised Estimate)	2012-13 (Estimate)
1.42 million	1.53 million	1.63 million	1.84 million

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 the development and implementation of administrative guidelines for promotion of racial equality by various government departments, please provide the following information:

- (a) How much provision has been set aside by the Government to issue and implement administrative guidelines to facilitate relevant bureaux and departments (B/Ds) to promote racial equality in formulating policies and measures in 2011-12? What are the initiatives involved? Have the B/Ds fully consulted the community organisations, the service users and other stakeholders during the development of the administrative guidelines and after their issues? Please advise on the promotion and implementation of the guidelines as well as the training in respect of the guidelines.
- (b) What is the estimated provision for 2012-13? Will the community organisations, the service users and other stakeholders be fully consulted on the implementation and amendment of the guidelines? Does the Government have any plan to extend the coverage of the administrative guidelines to all Government B/Ds?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Constitutional and Mainland Affairs Bureau (CMAB) issued in April 2010 the Administrative Guidelines on Promotion of Racial Equality (the Guidelines) to provide general guidance to relevant Government bureaux and departments and public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in key areas concerned, and to take this into account in their formulation, implementation and review of relevant policies and measures.

2. In drawing up the Guidelines, the CMAB had consulted the Panel on Constitutional Affairs of the Legislative Council as well as ethnic minority groups and

other stakeholders through channels such as the Committee on the Promotion of Racial Harmony and Ethnic Minorities Forum.

3. In cooperation with the Civil Service Training and Development Institute, the Equal Opportunities Commission and non-government organisations, the CMAB has also organised cultural sensitivity training sessions for relevant staff of the Government and public authorities to enhance their awareness and understanding of the Guidelines and relevant issues.

4. The Guidelines have been implemented smoothly. The Government will keep the implementation of the Guidelines, including its scope of application, under review and continue to listen to feedback from stakeholders.

5. Regarding the provisions involved, the work concerning the CMAB (such as promotion of the Guidelines and keeping the implementation under review) is undertaken as part of the duties of the staff involved in the Bureau and the Guidelines are implemented by relevant authorities with their own resources. These are integral part of the work of the authorities concerned and a separate breakdown of the related expenses is not available.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

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

Question : (a) Given that exchanges between Hong Kong and Taiwan have been increasing, how much provision will be set aside in 2012-13 for meeting the expenditure of the Taiwan Office?

(b) Will reference be drawn from the setup of the Beijing Office to set up an immigration division in the Taiwan Office to handle immigration matters and emergencies? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. PAN Pey-chyou

Reply :

- (a) The estimated expenditure for the Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) for 2012-13 is \$24.65 million. The above figure has included staff costs and a setting up cost of \$2.3 million.
- (b) The HKETCO is tasked to, inter alia, provide assistance to Hong Kong residents in Taiwan to the extent possible and, where necessary, assist in handling matters relating to entry applications from Taiwanese residents. In the case of emergencies or calamities, Immigration Officers can be sent to the places concerned to assist Hong Kong residents as and when necessary. In addition, officers of the HKETCO would liaise with relevant authorities in Taiwan to render necessary assistance for residents in distress if necessary. The Administration will assess the long-term service need for posting Immigration Officers to the HKETCO in the light of operational experience.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : People in the community have expressed the need for a political parties law from time to time. Will the Government consider conducting a policy study or public consultation on the formulation of a political parties law in 2012-13? If yes, what are the relevant details? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

Political parties in Hong Kong are still at a developmental stage. Sufficient room should be allowed for political parties to grow. Imposing statutory control on the operation of political parties at this stage may hinder their development. That said, we will continue to listen to the views of the community in this respect.

2. Whilst we have not enacted a political party law, the current-term Government has implemented a series of measures to provide an environment conducive to the growth and development of political parties:

- (a) increasing the number of seats for election, so as to enhance the opportunity for people with different political backgrounds and independent candidates to participate in politics. For example, the number of elected District Council (DC) seats has been increased from 405 to 412. As for the Legislative Council (LegCo), the number of seats would be increased from 60 to 70 in 2012;

- (b) providing financial assistance for candidates, with a view to encouraging more aspiring candidates (including members of political parties) to participate in elections. For example, the subsidy rate for candidates of the fourth-term DC election was increased from \$10 per vote to \$12 per vote. Separately, the subsidy rate for LegCo candidates would also be increased from \$11 to \$12 for the fifth-term LegCo election to be held in September 2012; and
- (c) the political appointment system has been further developed to attract talents with different backgrounds, including those with political affiliation, to join the Government. This can create more room for political party members to participate in politics.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 current legislative requirement that the Chief Executive should not have any political affiliation has seriously impeded the development of political parties in Hong Kong. Will resources be allocated in 2012-13 to review the relevant requirement of the Chief Executive Election Ordinance? If yes, what are the detailed plan and estimated expenditure for the review? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

Under the decision of the Standing Committee of the National People's Congress of 2007 (NPCSC decision), the current-term Hong Kong Special Administrative Region (HKSAR) Government is only authorised to deal with the methods for selecting the Chief Executive (CE) and for forming the Legislative Council (LegCo) in 2012. The HKSAR Government must act in accordance with the NPCSC decision.

2. We will consolidate views received from the LegCo and different sectors of the community on issues relating to universal suffrage for the CE for the next-term Government to follow up.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 : Will resources be allocated in 2012-13 for conducting a comprehensive review of the political appointment system (including the establishment, the remuneration packages for and functions of political appointees at different ranks) and related public consultation? If yes, what are the detailed work plan, estimated expenditure and timetable? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

The next-term Chief Executive may propose changes that he/she considers appropriate or necessary to the political appointment system and the Government structure, the current-term Government will do its best to facilitate them as necessary, so as to ensure a smooth transition between the current-term and the fourth-term of the Government of the Hong Kong Special Administrative Region.

2. Separately, the Independent Commission on Remuneration for Members of the Executive Council and the Legislature, and Officials under the Political Appointment System of the Hong Kong Special Administrative Region (the Independent Commission) is conducting a review of the remuneration packages for politically-appointed officials. After considering the recommendations of the Independent Commission, the current-term Government will put forth proposals to the Legislative Council for consideration and approval as appropriate.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 resources been set aside in 2012-13 for the fourth term Chief Executive newly elected to conduct policy study and public consultation on methods for forming the Legislative Council and selecting the Chief Executive in 2016 and 2017 respectively? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

It is for the fourth-term Chief Executive and his/her Government to consider and decide when and how to conduct policy study and carry out public consultation on the methods for forming the Legislative Council in 2016 and for selecting the Chief Executive in 2017. No doubt the resource implications will be taken into account in making the relevant decisions.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 the implementation of the Code on Access to Information, would the Government advise this Committee on:

- (A) the total number of requests for information made by the public to various bureaux and departments under the Code on Access to Information in the past 3 years? How many were refused? What were the main reasons for refusal?
- (B) whether the Administration will consider launching a review of the Code in 2012-13 to further facilitate the public's access to government information and enhance government's operational transparency? If yes, what is the detailed work plan? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

In the past three years, i.e. 2009-10, 2010-11 and 2011-12 (up to 31.12.2011), bureaux/departments received a total of 6 049 requests for information under the Code on Access to Information (the Code). Of these, 495 requests were subsequently withdrawn by the requestors, 374 requests covered cases in which the bureaux/departments concerned did not hold the requested information while 70 requests were still being processed by bureaux/departments as at 31.12.2011. Of the remaining 5 110 requests, 4 960 (97%) were met, either in full (4 830) or in part (130), and 150 (3%) were refused. Refusals of requests for information in whole or in part were based on reasons specified in the Code, the major ones being :

- (a) the requested information was held for, or provided by, a third party on the understanding that it would not be further disclosed (in 95 cases);
- (b) the requested information was related to the privacy of an individual (in 77 cases); and

- (c) the disclosure of information would harm or prejudice the management and operation of the public service (in 44 cases).

2. The statistics show that government bureaux/departments have been complying with the Code to the general satisfaction of members of the public. Whilst we have no plans to review the Code in 2012-13, we will continue to monitor the implementation of the Code.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 Matters Requiring Special Attention in 2012-13 is continue to facilitate liaison and co-operation with the Beijing and Shanghai Municipalities and other provinces and regions in the Pearl River Delta Region, as well as the Macao Special Administration Region (MSAR). Will the Administration advise on:

- (a) the co-operation initiatives taken forward with MSAR in the past 3 years;
- (b) the number of cases where assistance from the Hong Kong Government is sought by Hong Kong residents in Macao in the past 3 years;
- (c) whether consideration will be given to establishing a Liaison Unit in MSAR given that the 5 Mainland and Taiwan Offices which have now come into operation can provide support and services to Hong Kong residents in all Mainland provinces / municipalities / autonomous regions and in Taiwan. If yes, what are the details? If no, what are the reasons?

Asked by : Hon. LI Fung-ying

Reply :

(a) To strengthen co-operation between Hong Kong and Macao, the Financial Secretary and Macao's Secretary for Economy and Finance have been meeting annually since 2008 to discuss the latest progress and future direction of co-operation between the two places. The two sides have also established a liaison officers' system under which representatives from the respective bureaux or departments serve as liaison officers in 18 co-operation areas, namely immigration, tourism, convention and exhibition, cross-boundary ferry service, cross-boundary infrastructure, taxation, judicial assistance, district administration, civil service training, education, employment, urban planning, heritage conservation, environmental protection, culture and sports, public health, air services, and food safety. Examples of co-operation initiatives include facilitation measures introduced for Hong Kong and Macao

residents commuting between the two places, joint promotion of multi-destination tourism itineraries and ‘Honest and Quality Tourism’, and joint effort in combating illegal drug trafficking, etc. The liaison officers of the two places have also arranged meetings and visits to enhance communication and co-operation.

(b) The number of requests for assistance from Hong Kong residents in Macao received by the Immigration Department over the past three years is listed below:

Year	2009	2010	2011
No. of cases	23	20	16

(c) The Government is providing timely and sufficient assistance to Hong Kong residents in need in Macao. We currently do not have any plan to establish a new office in Macao.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Please list out the respective operating expenses of the Beijing Office, and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu. What were the work and activities conducted by the above offices in the past year? Please list out in detail the relevant expenditure and manpower arrangement. In conducting the above work and activities, which local authorities and enterprises had the offices made contact with? What were the number of people contacted and details of such contacts?

Asked by : Hon. IP Kwok-him

Reply :

The 2011-12 revised estimate for the Beijing Office, and Hong Kong Economic and Trade Offices (ETO) in Guangdong, Shanghai and Chengdu is \$47.7 million, \$38.6 million, \$22.2 million and \$16.9 million respectively. The number of Hong Kong based officers in these offices is 16, 13, 6 and 5 respectively.

2. The aims of the Mainland Offices include promoting Hong Kong's trade and commercial interests in the Mainland and encouraging and attracting investments to Hong Kong. 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 providing logistical support to trade delegations to the Mainland etc. Immigration Divisions are established in the Beijing Office and Guangdong ETO to provide practical assistance to Hong Kong residents in distress or seeking assistance in the Mainland.

3. In 2011-12, the Mainland Offices, among other things, have assisted in taking forward a number of important initiatives in their covered areas, including the implementation of the Hong Kong Special Administrative Region's work to

complement the National 12th Five-Year Plan, implementation of the Mainland and Hong Kong Closer Economic Partnership Arrangement, promotion of Hong Kong's service industries in the Mainland and transformation and upgrading of Hong Kong-invested processing industries in the Mainland. Some examples of specific activities and events participated/assisted by the Mainland Offices include the Boao Forum for Asia Annual Conference held in April 2011 in Hainan; the 7th Pan-Pearl River Delta Regional Co-operation and Development Forum cum Trade Fair held in September 2011 in Nanchang of Jiangxi; the 15th Beijing - Hong Kong Economic Co-operation Symposium held in October 2011 in Beijing; the 12th Western China International Fair held in October 2011 in Chengdu of Sichuan; the 2nd Plenary Session of the Hong Kong/Shanghai Economic and Trade Cooperation Conference held in January 2012 in Shanghai; the 110th China Import and Export Fair in Guangdong held in October 2011 in Guangdong; and the Chongqing - Hong Kong Week 2012 held in January 2012 in Chongqing. Besides, the Chengdu ETO has also assisted in the HKSAR's post-quake reconstruction work in Sichuan whilst the Guangdong ETO has assisted in the implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, including the development of Qinhai and Nansha. In 2012, the Chengdu ETO and Guangdong ETO have also set up the Chongqing Liaison Unit in January 2011 in Chongqing and the Fujian Liaison Unit in February 2011 in Fuzhou respectively to assist in enhancing co-operation with the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait. For further details of the work of these Mainland Offices in the past years, please refer to their annual work reports submitted to the Panel on Commerce and Industry of the Legislative Council.

4. In 2011, among other things, the Mainland Offices have attended 388 meetings on trade-related matters, conducted 463 visits to Mainland authorities and trade organisations to promote commercial relations, and made 1 269 calls on senior officials/personnel/organisations to promote liaison, public relations and cultural cooperation. The government authorities and trade organisations contacted include various ministries of the Central People's Government, relevant government/authorities at the local government level, as well as Hong Kong trade organisations/enterprises and Mainland trade organisations/enterprises in the Mainland Offices' covered areas.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : In liaising and communicating with the provincial and municipal governments and other local authorities in the Mainland in the past, have the Beijing Office, the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu conducted further review of and discussions on existing initiatives related to the integrated development of the two places to fine-tune the initiatives? If yes, what are the details and resources involved?

Asked by : Hon. IP Kwok-him

Reply :

The major roles and functions of Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai and Chengdu include, inter alia, the following –

- (a) economic and trade liaison;
- (b) supporting Hong Kong enterprises;
- (c) attracting investment;
- (d) promoting the positive image of Hong Kong in the Mainland; and
- (e) enhancing mutual understanding of Hong Kong and the relevant provinces/municipalities.

2. Apart from fostering trade and investment between Hong Kong and the Mainland, the four Mainland Offices attach great importance to promoting exchanges and mutual understanding between Hong Kong and the Mainland. For example, cultural performances are held to showcase the vibrant cultural scene of Hong Kong; exhibitions and promotional activities are also organised to enable the relevant provinces/municipalities to know more about various facets of lives in Hong Kong. The four Mainland Offices disseminate information to prospective visitors and the wider public in the Mainland to project a positive image of Hong Kong. They

also facilitate youth and student exchanges to enhance mutual understanding. In 2012-13, the Mainland Offices will continue to step up the relevant work.

3. Since the aforementioned work forms an integral part of the duties and functions of the Mainland offices, the resources involved could not be singled out or quantified. The estimated total expenditure of the four Mainland Offices in 2012-13 is \$156.8 million.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : At present, has an Immigration Division similar to those of the Beijing Office and the Guangdong Economic and Trade Office been set up in the Taiwan Office so as to provide assistance, enquiry service and other arrangements relating to immigration matters to Hong Kong residents in distress or requesting for assistance in Taiwan? If yes, what are the estimated expenditure and staffing arrangement involved and what specific services have been provided? If no, what are the reasons? Will consideration be given to allocate additional resources in the future to provide these services?

Asked by : Hon. IP Kwok-him

Reply :

The Hong Kong Economic, Trade and Cultural Office (HKETCO) is tasked to, inter alia, provide assistance to Hong Kong residents in Taiwan to the extent possible and, where necessary, assist in handling matters relating to entry applications from Taiwanese residents. In the case of emergencies or calamities, Immigration Officers can be sent to the places concerned to assist Hong Kong residents as and when necessary. In addition, officers of the HKETCO would liaise with relevant authorities in Taiwan to render necessary assistance for residents in distress if necessary. The Administration will assess the long-term service need for posting Immigration Officers to the HKETCO in the light of operational experience.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : Has the Administration earmarked any budget to step up co-operation between the Guangdong ETO and the Taiwan Office so as to ensure that the two offices can liaise proactively with the authorities, organisations and investors in Hong Kong, the Mainland and Taiwan to discuss and devise ways to introduce more services that span across the 3 places, thereby highlighting our role in bridging and strengthening communication among the 3 places? If yes, what are the related policies and programmes? What are the expenditure and manpower thus involved? If no, what are the reasons?

Asked by : Hon. IP Kwok-him

Reply :

Liaison with relevant authorities, organisations and businesses is an integral duty and function of the Mainland and Taiwan offices. The relevant expenditure is subsumed within the provision for the offices and there is no budget specifically earmarked for stepping up co-operation between the Hong Kong Economic and Trade Office in Guangdong and the Hong Kong Economic, Trade and Cultural Office (HKETCO) in Taiwan.

2. In view of Hong Kong's unique position in cross-Straits relations, the Chief Executive announced in the 2011-12 Policy Address the establishment of a liaison unit in Fujian under the Guangdong Economic and Trade Office, which aims to tap into the development opportunities in the Economic Zone on the West Coast of the Taiwan Strait ("Haixi Economic Zone"). The Haixi Economic Zone was designated as a testing ground for cross-Straits exchanges in the Mainland. Being the principal province in the Haixi Economic Zone, Fujian stands to benefit from the enhanced cross-Straits economic, trade, financial and social exchanges. In 2012-13, we have tentatively allocated \$9.7 million for the Fujian Liaison Unit. The above figure has included staff costs and a setting up cost of \$4.5 million for the Unit. Furthermore, the

Constitutional and Mainland Affairs Bureau would flexibly deploy existing resources to promote the HKSAR's cooperation with the Haixi Economic Zone.

3. In addition, the HKETCO commenced operation on 19 December 2011 to promote closer relations and cooperation with Taiwan on economic, cultural and other fronts in the long run. It also assists the Administration and the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council in further enhancing exchanges with Taiwan. The estimated expenditure for HKETCO for 2012-13 is \$24.65 million. The above figure has included staff costs and a setting up cost of \$2.3 million.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : (a) How many activities on commercial relations will be organised by the newly established Hong Kong Trade, Economic and Cultural Office in 2012? Please list out the number of meetings to be attended, organisations to be visited as well as seminars to be organised and attended by the nature of the activities.

(b) Please list out the number of liaison, public relations and cultural promotion activities, such as visits, cultural events and briefings, to be organised and attended by the newly established Hong Kong Trade, Economic and Cultural Office in 2012 and the expenses incurred.

Asked by : Hon. IP Kwok-him

Reply :

The Hong Kong Economic, Trade and Cultural Office (HKETCO) commenced operation in Taiwan on 19 December 2011. For 2012-13, a sum of \$24.65 million has been earmarked under Programme (3) for HKETCO to, inter alia, undertake liaison, economic and trade, investment and cultural promotion work. The performance targets of HKETCO in 2012 under “commercial relations” are to attend 12 meetings on trade-related matters, carry out 15 visits to authorities and trade organisations, organise or participate in 8 seminars, exhibitions and workshops. Regarding “liaison, public relations and cultural promotion”, the HKETCO targets to make 24 calls on senior officials and organisations, and organise or participate 13 public relations or cultural functions in 2012.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 : Regarding the work of developing business opportunities between Hong Kong and Taiwan, as well as co-ordinating and enhancing exchanges and co-operation with the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait by setting up dedicated liaison units in Chongqing and Fujian respectively, what are the specific work plans and objectives in 2012-13?

Asked by : Hon. WONG Ting-kwong

Reply :

On exploring business opportunities with Taiwan, the HKSAR Government will continue to actively promote co-operation with Taiwan in the areas of trade, investment and tourism. Relevant work would include –

- (a) On trade promotion, the Hong Kong Trade Development Council (HKTDC) Taipei Office will continue to promote Hong Kong's services industries. HKTDC will encourage Taiwan brands to cooperate with Hong Kong companies to tap the overseas and Mainland markets together by leveraging on Hong Kong's services platform. In 2012-13, HKTDC will continue to promote trade and business co-operation between Hong Kong and Taiwan by means of different programmes such as organising trade fairs, outbound missions, symposiums, seminars, roadshows and business matching activities, etc.
- (b) On investment promotion, Invest Hong Kong (InvestHK) will continue to step up its promotional efforts in Taiwan, which include organising various programmes, to encourage and assist the Taiwan companies to set up or expand their business in Hong Kong. In 2012-13, through its investment promotion unit in the Hong Kong Economic, Trade and Cultural Office in Taiwan, InvestHK will reach out proactively to a wide spectrum of Taiwan companies and conduct investment promotion visits in different cities in

Taiwan. InvestHK will also maintain close liaison with the Taiwan business community and representatives of Taiwan business associations in Hong Kong and provide them with the necessary support.

- (c) On tourism, Taiwan is Hong Kong's second largest source market. The Hong Kong Tourism Board (HKTb) established an official office in Taipei in September 2011, which would further strengthen HKTb's presence and its promotion work in Taiwan, and deepen the exchanges and collaboration between the travel trade of the two places. In 2012-13, HKTb will continue its efforts in carrying out active promotion work in the Taiwan market. It will target at family and young visitor segments to attract more overnight vacation visitors to Hong Kong, and will step up its promotion work in the second-tier cities in Taiwan (such as Taichung and Kaohsiung).

2. Moreover, the Administration will continue to, through the platform of "Hong Kong-Taiwan Economic and Cultural Co-operation and Promotion Council" and "Hong Kong – Taiwan Business Co-operation Committee" of Hong Kong, and the "Taiwan-Hong Kong Economic and Cultural Co-operation Council" and "Economic Co-operation Committee" of Taiwan, enhance multi-faceted and in-depth exchanges between Hong Kong and Taiwan and strengthen bilateral economic co-operation, with a view to promoting economic and trade development of the Mainland, Hong Kong and Taiwan.

3. The establishment of the Chongqing Liaison Unit (CQLU) and the Fujian Liaison Unit (FJLU) is aimed to tap into the development opportunities in the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait. Leveraging on the newly established CQLU and FJLU, we plan to implement the following initiatives to promote the HKSAR's cooperation and exchange with the relevant places in 2012-13 –

- (a) strengthen the HKSAR Government's liaison with the relevant provincial and municipal governments;
- (b) roll out activities to promote trade and investments between the HKSAR and the relevant places; and
- (c) enhance communication with Hong Kong enterprises in the relevant places and understand and follow up issues of concerns.

Signature _____

Name in block letters _____ JOSHUA LAW

Post Title _____ Permanent Secretary for
Constitutional and Mainland Affairs

Date _____ 1 March 2012

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

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 : Percentage of participants satisfied with the training services provided by the Equal Opportunities Commission is 100% in both 2010 and 2011. Does it imply that participants are absolutely satisfied with the training services? What were the services provided? How much additional funding and manpower have been provided by the Commission for conducting training services in this financial year? Will training be focused on a particular subject in response to the prevailing social situation?

Asked by : Hon. WONG Ting-kwong

Reply :

From the valid questionnaires returned to the Equal Opportunities Commission (EOC) in 2010 and 2011 in relation to its training services, 99.62% and 99.52% of the respondents ranked the training services excellent or satisfactory. The figures were shown as 100% after rounding to the nearest percentage point, in accordance with EOC's practice for the indicators.

2. The EOC conducts "tailor-made" and "calendar" training programmes to raise awareness of discrimination and harassment for public and private sectors as well as non-government organisations. "Tailor-made" training sessions are provided on initiation or request by government departments, public sector organisations, private sector companies, non-government organisations, schools, etc. on specific topics in accordance with the needs of the organisations concerned.

3. At the same time, "calendar" training programmes are organised on various equal opportunities topics for employers, human resources practitioners and members of the public who are interested. These topics include (but are not limited to) introduction to the four anti-discrimination ordinances, accessibility issues, preventing and managing sexual harassment, managing recruitment and selection issues, issues in

human resources management under the anti-discrimination ordinances and managing complaints in the workplace.

4. Current social needs and issues are taken into account in determining the topics and the contents of the training programmes. For example, new training programmes on relevant topics were designed and conducted with the enactment of the Race Discrimination Ordinance in 2008 and the release of EOC's Formal Investigation Report on Accessibility in Publicly Accessible Premises in 2010. The EOC will continue to offer its training services taking into account community needs and pertinent issues.

5. The training services are provided under the Corporate Communications and Training Unit of the EOC, which is headed by a Chief Equal Opportunities Officer. In 2012-13, an additional subvention of \$1.162 million will be provided to the EOC for strengthening its manpower to enhance its training and promotion work.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 specific plan for promoting the Basic Law and organising publicity activities in 2012-13? What is the estimated expenditure for such promotional activities?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2012-13, we have set aside \$16 million for organising various promotional activities to enhance public awareness and understanding of the Basic Law, in particular on the relationship between the Central Authorities and the Hong Kong Special Administrative Region, and the importance of the Basic Law to Hong Kong's implementation of the principle of "One Country, Two Systems", "Hong Kong people administering Hong Kong" and high degree of autonomy. We will continue to adopt the following three promotional strategies:

- (a) 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 principle of "One Country, Two Systems". Planned projects include TV drama, online games and radio quiz show.
- (b) Secondly, we will enhance public awareness and understanding of the Basic Law in a lively and interactive manner through promotional activities at the district level, such as roving shows and carnivals.

- (c) Thirdly, we will strengthen co-operation with community organisations in staging 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 _____ 1 March 2012

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

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 specific plan for co-ordinating the HKSAR's input to complement the preparation of the National 12th Five-Year Plan in 2012-13? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The National 12th Five-Year Plan (the Plan) promulgated in March 2011 has unprecedentedly included a dedicated chapter on the Hong Kong and Macao Special Administrative Regions (the Dedicated Chapter). In August 2011, Vice Premier of the State Council, Mr LI Keqiang, visited Hong Kong and further announced a series of more than 30 concrete policies and measures of the Central People's Government under the Plan to support Hong Kong in further developing and deepening co-operation with the Mainland (the New Supporting Policies and Measures). The Dedicated Chapter and the New Supporting Policies and Measures highlight the important functions and positioning of Hong Kong in the national development strategy, map out the direction of co-operation between the Mainland and Hong Kong during the Plan period, and provide a solid policy framework for the coming implementation work of the Hong Kong Special Administrative Region.

2. In 2012-13, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to assist in the following areas:

- (a) assisting the relevant bureaux and departments in implementing the specific areas mentioned in the Plan and the New Supporting Policies and Measures, and monitoring progress;
- (b) liaising with the relevant Mainland authorities, particularly the National Development and Reform Commission;

- (c) taking forward various regional co-operation initiatives, particularly the implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation;
- (d) offering advice to the Shenzhen Municipal Government and Guangzhou Municipal Government on promoting the development of Qianhai and Nansha; and
- (e) coordinating with the relevant Mainland Offices to conduct relevant research and studies on the related areas as necessary.

3. About \$5.5 million has been earmarked in 2012-13 for the CMAB and the Mainland Offices to promote co-operation between Hong Kong and the Mainland, including Pan-Pearl River Delta co-operation, implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, Qianhai and Nansha development, as well as the implementation of the Plan. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose.

Signature	
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 strengthening co-operation with Guangdong Province and taking forward co-operation initiatives agreed at the Hong Kong/Guangdong Co-operation Joint Conference in 2012-13, what is the specific work plan for promoting the development of Qianhai? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

According to the consensus reached between the governments of Hong Kong and Shenzhen, the Shenzhen Municipal Government (SZMG) takes a leading role and is responsible for the development and management of Qianhai, while the Hong Kong Special Administrative Region (HKSAR) Government plays an advisory role by providing comments on development planning as well as the study and formulation of related policies. The Constitutional and Mainland Affairs Bureau (CMAB) co-ordinates the efforts of relevant bureaux of the HKSAR Government to facilitate the Hong Kong business sector, especially the financial services, professional services and other services sectors to capitalise on the business opportunities presented by the development of Qianhai to tap into the Mainland market.

2. The HKSAR Government has been maintaining close liaison with SZMG. Both sides have also set up the Joint Task Force on Qianhai Co-operation since November 2009 and have discussed the relevant issues on different occasions. The HKSAR Government's advice to the Shenzhen authorities concerned mainly the business environment and policies required to encourage Hong Kong service industries to set up operations in Qianhai. In accordance with the Overall Development Plan on Hong Kong/Shenzhen Co-operation on Modern Service Industries in Qianhai Area (Qianhai Development Plan) approved by the State Council in August 2010, Qianhai has been designated as a Hong Kong/Guangdong modern service industry innovation and co-operation exemplary zone with a view to

playing a pilot role in promoting co-operation in service industries, including the financial industries and the professional service industries, between Hong Kong and the Mainland. In this regard, relevant bureaux of the HKSAR Government have been consulting the business sectors under their respective purviews from time to time through various channels, including meetings, exchange sessions and inviting written submissions. CMAB facilitates their communication with the Shenzhen authorities so that the policy proposals and suggestions received are consolidated and communicated to the relevant Mainland authorities on a timely basis. CMAB has also been actively complementing the publicity and promotional work of the Shenzhen authorities to introduce to Hong Kong enterprises, professional sectors and service suppliers the content and business opportunities brought about by the Qianhai Development Plan. In addition, CMAB also liaises with relevant bureaux to organise meetings for the Shenzhen authorities to brief Hong Kong trade associations and professional bodies on the latest development in Qianhai and obtain feedback from them directly. All the above work will continue in 2012-13.

3. In 2012-13, about \$5.5 million has been earmarked for CMAB and the Mainland Offices to promote co-operation between Hong Kong and the Mainland, including Pan-Pearl River Delta co-operation, implementation of the Framework Agreement on Hong Kong/Guangdong Co-operation, Qianhai and Nansha development, as well as the implementation of the National 12th Five Year Plan. This amount represents the direct expenditure which is expected to be incurred in relation to the various meetings, visits and similar events. In addition, the Bureau as a whole and the Mainland Offices will also deploy sufficient staff and other resources for the purpose. As the work involved is an integral part of the duties and functions of the CMAB officers concerned, the related manpower expenditure cannot be singled out and quantified.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 specific plan for co-ordinating and promoting exchanges with Taiwan in 2012-13? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

The Constitutional and Mainland Affairs Bureau is responsible for coordinating exchanges and cooperation with Taiwan under the framework of the "One China" policy and "Qian's Seven Principles".

2. In 2012-13, we will continue to strengthen our exchanges and cooperation with Taiwan. Our major tasks will include -

- (a) proactively liaising with the Taiwanese side under the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) platform in taking forward the various priority areas of cooperation, including medical and health co-operation, arrangements for avoidance of double taxation on shipping income, and further strengthening bilateral economic exchanges between the two places;
- (b) assisting the ECCPC in organising activities to further enhance exchanges with Taiwan, including preparing for a joint meeting with its Taiwanese counterpart, the Taiwan-Hong Kong Economic and Cultural Cooperation Council, forums, seminars and cultural exchanges in fostering Hong Kong-Taiwan cooperation;
- (c) sponsoring non-governmental bodies in organising forums, seminars and related activities which promote Hong Kong-Taiwan exchanges;

- (d) promoting exchanges between Hong Kong and Taiwan and facilitating relevant Taiwan visitors from different sectors to understand the latest social and economic developments of Hong Kong and the implementation of “One Country, Two Systems”;
 - (e) liaising with Taiwan organisations in Hong Kong on matters concerning the relations between Hong Kong and Taiwan; and
 - (f) advising and assisting other bureaux and departments on cultural, trade and economic exchanges with Taiwan.
3. This Bureau has earmarked about \$12 million under this Programme in 2012-13 for the activities of the ECCPC and exchanges with Taiwan.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan 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 : On Mainland Offices:

- (a) What are the respective estimated provisions for the 4 offices (namely the Beijing Office and the Economic and Trade Offices in Guangdong, Chengdu and Shanghai) for 2012-13?
- (b) What are the specific plans for enhancing their investment promotion function in the Mainland in 2012-13? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

In 2012-13, we have earmarked \$57.9 million for the Beijing Office, \$47.8 million for the Economic and Trade Office (ETO) in Guangdong, \$24.2 million for the Shanghai ETO and \$26.9 million for the Chengdu ETO.

2. 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 Mainland Offices will 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; help identify and match Mainland potential investors with business partners in Hong Kong to attract inward investment in Hong Kong; and provide free, one-stop information and consultation services for both Hong Kong investors who have an interest in investing in the Mainland, as well as Mainland enterprises who are looking for investment opportunities in Hong Kong.

3. As commercial relations and investment promotion activities all aim to showcase and market Hong Kong's strengths, they complement each other. General promotion work conducted by the Investment Promotion Divisions also supports the Mainland Offices' work on liaison and economic and trade affairs.

4. While Invest Hong Kong has earmarked around \$2.5 million for promoting investment through the Investment Promotion Units in the Mainland in 2012-13, the Constitutional and Mainland Affairs Bureau has earmarked a sum of \$134.8 million under Programme (3) for the Mainland Offices to undertake liaison, economic and trade, and investment promotion work. The Mainland Offices' investment promotion work is an integral part of the roles and functions of their work. The expenditure involved cannot be singled out and will be absorbed within the above provision.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : What specific plan does the Equal Opportunities Commission have for following up on the implementation of various recommendations in the Formal Investigation Report on Accessibility in Publicly Accessible Premises in 2012-13? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

In respect of the Formal Investigation Report on Accessibility in Publicly Accessible Premises, the Equal Opportunities Commission (EOC) recommended the Government, the Housing Authority and the LINK Management Limited (the LINK) to take measures to improve the accessibility of the premises / facilities under their management. According to information from the Labour and Welfare Bureau, the Government has carried out various measures in response to the recommendations, including allocating about \$1.3 billion to carry out a large-scale retrofitting programme to upgrade the barrier-free facilities in 3 700 existing Government and 300 existing Housing Authority premises / facilities. The Government targets to complete relevant works in around 90% of these premises and facilities by June 2012 and the remainder by June 2014. At the same time, the LINK committed \$0.2 billion on a similar programme over five financial years (starting from 2011-12). Furthermore, the Access Co-ordinator and Access Officer Scheme has been implemented in various government bureaux and departments, under which officers have been designated to co-ordinate and handle accessibility issues to ensure the provision of appropriate barrier-free facilities.

2. The EOC will continue to monitor closely the implementation progress and operation of the above measures. It will also continue to assist in the training of the access officers and facilities managers of the Government and the LINK, and take other measures with a view to improving the overall accessibility in our society as necessary.

3. The actions to be taken by the EOC are part of its normal functions, and no specific breakdown of the expenditure involved is available.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : On the work of the Office of the Privacy Commissioner for Personal Data (PCPD):

- (a) What specific plan does the PCPD have for preparing for implementation of the new provisions of the amended Personal Data (Privacy) Ordinance in 2012-13? What is the estimated expenditure?
- (b) What specific plan does the PCPD have for conducting major promotional activities in 2012-13? What is the estimated expenditure?
- (c) What specific plan does the PCPD have for increasing manpower in 2012-13? What is the estimated expenditure?

Asked by : Hon. TAM Yiu-chung

Reply :

(a)

The Office of the Privacy Commissioner for Personal Data (PCPD) will undertake necessary work to prepare for implementation of the new provisions in the Personal Data (Privacy) Ordinance (Cap. 486) (PDPO) after the relevant amendment legislation is passed. This involves:

- (i) staff recruitment, training and related administrative arrangements;
- (ii) review of operational policies; and
- (iii) formulation of new practices and procedures.

2. In addition, a range of promotional and educational activities will be held to enhance understanding of the public and the relevant sectors/industries. Various means and channels will be used including guidance notes, information leaflets, public

seminars, as well as direct communication with relevant professional bodies and through press conferences, press briefings etc.

3. To facilitate the PCPD to take forward work relating to implementation of the new provisions in the PDPO, additional funding of \$8.9 million has been earmarked for the PCPD for 2012-13. This comprises \$8.4 million recurrent funding and \$0.5 million non-recurrent funding. The \$8.4 million recurrent funding comprises provision for the PCPD to create five additional posts (one Senior Legal Counsel, one Legal Executive, one Senior Personal Data Officer and two Personal Data Officer posts), to convert four existing time-limited posts (one Legal Counsel, one Chief Personal Data Officer, one Senior Personal Data Officer and one Personal Data Officer posts) to permanent posts and to take forward the legal assistance scheme. The \$0.5 million non-recurrent funding is earmarked for publicity in connection with implementation of the new provisions in the PDPO.

(b)

4. The PCPD plans to set aside about \$2.3 million (which includes the \$0.5 million mentioned in paragraph 3 above) for promotion, publicity and education activities in 2012-13. Major activities include:

- (i) a one-day “Privacy by Design” Conference;
- (ii) a six-episode TV docu-drama series;
- (iii) Student Ambassador Programme – a learning process provided for secondary school students to foster a culture of respect for personal data privacy;
- (iv) an industry-wide privacy campaign for a targeted industry;
- (v) Privacy Awareness Week 2012 – an annual regional promotional event;
- (vi) activities for Data Protection Officers’ Club members, including regular meetings, introductory seminars, discussion sessions and visits;
- (vii) participation in the Education & Careers Expo 2013;
- (viii) University Privacy Days – on-campus promotion of privacy and data protection to staff and students of the universities in Hong Kong;
- (ix) professional workshops on data protection – a series of professional workshops tailored for the needs of executives dealing with personal data; and

- (x) public seminars on topical issues, e.g. proper use of technology in daily life.

(c)

5. Apart from the increase in manpower mentioned in paragraph 3 above, additional funding of \$1 million has been earmarked for the PCPD in 2012-13 for two other posts to strengthen its Corporate Communications and Information Technology Divisions.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

Head : 144 GS: Constitutional and
Mainland Affairs Bureau

Subhead (No. & title) :

Programme : (3) Mainland and Taiwan Offices

Controlling Officer : Permanent Secretary for Constitutional and Mainland Affairs

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Question : The Constitutional and Mainland Affairs Bureau's estimated provision for the Mainland and Taiwan Offices for 2012-13 is \$181.4 million, representing a marked increase of 44.7% (\$56 million) over the revised provision of \$125.4 million for 2011-12. The Bureau pointed out that the substantial increase in provision is mainly for the operation of the Hong Kong Economic, Trade and Cultural Office (HKETCO) and the dedicated liaison units in Chongqing and Fujian, and for enhancing publicity and promotion activities in the Mainland. What are the operating expenses of the HKETCO and the dedicated units in Chongqing and Fujian? What are the main performance targets and specific work plans of the 3 offices in the coming year? Will the Administration consider establishing an economic and trade office in Fujian?

Asked by : Hon. TAM Yiu-chung

Reply :

The Hong Kong Economic, Trade and Cultural Office (HKETCO) commenced operation in Taiwan on 19 December 2011. The estimated expenditure for the HKETCO for 2012-13 is \$24.65 million. The above figure has included staff costs and a setting up cost of \$2.3 million.

2. In the 2011-12 Policy Address, the Chief Executive announced the establishment of liaison units in Chongqing and Fujian under the Chengdu Economic and Trade Office and Guangdong Economic and Trade Office respectively. In 2012-13, we have tentatively allocated \$9.6 million for the Chongqing Liaison Unit (CQLU) and \$9.7 million for the Fujian Liaison Unit (FJLU). The above figures have included staff costs and a setting up cost of \$4.5 million for each Liaison Unit.

3. In 2012-13, HKETCO will continue to:

- (a) establish contacts to foster closer economic and cultural cooperation and exchanges between Hong Kong and Taiwan;
- (b) facilitate Hong Kong businesses in tapping business opportunities in Taiwan while encouraging Taiwanese businesses to invest in Hong Kong; and
- (c) organise and support promotional and cultural events to publicise Hong Kong in Taiwan.

4. CQLU and FJLU aim to tap into the development opportunities in the Chengdu-Chongqing Economic Zone and the Economic Zone on the West Coast of the Taiwan Strait. Leveraging on the newly established CQLU and FJLU, we plan to implement the following initiatives to promote the HKSAR's cooperation and exchange with the relevant places in 2012-13 –

- (a) strengthen the HKSAR Government's liaison with the relevant provincial and municipal governments;
- (b) roll out activities to promote trade and investments between the HKSAR and the relevant places; and
- (c) enhance communication with Hong Kong enterprises in the relevant places and understand and follow up issues of concerns.

5. As the FJLU is only at an initial stage of operation, it is premature to explore whether there is a need to establish an Economic and Trade Office in Fujian at this stage.

Signature _____

Name in block letters JOSHUA LAW

Post Title Permanent Secretary for
Constitutional and Mainland Affairs

Date 1 March 2012

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

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 :
1. Will the Equal Opportunities Commission conduct any policy study and public consultation on legislating against discrimination on the ground of sexual orientation in 2012-13? If yes, what are the details? If no, what are the reasons?
 2. The Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance have not been comprehensively reviewed or amended since their implementation. Will resources be earmarked by the Equal Opportunities Commission in 2012-13 for reviewing the above 3 ordinances? If yes, what is the relevant work plan? If no, what are the reasons?

Asked by : Hon. CHAN Tanya

Reply :

The Policy and Research Committee (PARC) of the Equal Opportunities Commission (EOC) is responsible for directing the EOC's policy and research efforts. It has recently been focusing on the issues of access for all and education for ethnic minority, and the efforts in these areas will continue. Having considered issues requiring priority attention, the EOC has no plan to conduct policy study and public consultation on legislating against discrimination on the ground of sexual orientation in 2012-13.

2. The EOC has, after a review on the anti-discrimination ordinances, made a number of proposals to amend these ordinances. Some of these proposals, such as the extension of the scope of application for the provisions on sexual harassment, have already been incorporated into the relevant anti-discrimination ordinances during the legislative exercise of enacting the Race Discrimination Ordinance in 2008.

3. The Administration is examining the other proposals raised by the EOC, taking into consideration recent developments and the new amendments proposed by the EOC. Once the Administration has completed the examination, it will discuss with the EOC and other stakeholders. The work related to the review is part of the work of the EOC, and no separate provision has been specifically earmarked for this purpose in 2012-13.

Signature	_____
Name in block letters	JOSHUA LAW
Post Title	Permanent Secretary for Constitutional and Mainland Affairs
Date	1 March 2012

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

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 : How much resources will be put in by the Office in 2012-13 to enhance the checking of electors in the current register in respect of their registered addresses? Will the work include reminding electors to update their residential addresses with the Office if there are any changes? If yes, please give details of the related work plan. How will the Office step up its publicity efforts in this respect?

Asked by : Hon. CHEUNG Hok-ming

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : Will the Office allocate any resources in 2012-13 for studying ways to effectively ensure the accuracy of registered addresses? If yes, will the work include any additional publicity measures or any legislative amendments requiring voters to ensure that their registered addresses are correct?

Asked by : Hon. CHEUNG Hok-ming

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : What is the estimated expenditure on the additional publicity measures to remind electors to update their addresses with the Registration and Electoral Office?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

A total amount of \$36 million has been earmarked for the 2012 Voter Registration Campaign. It will cover the promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses.

Signature _____

Name in block letters _____ **LI PAK HONG**

Post Title _____ **Chief Electoral Officer**

Date _____ **1 March 2012**

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

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 the release of the Consultation Paper on Improvement Measures of the Voter Registration System, has the Administration evaluated whether more permanent establishment posts and departmental estimated expenditure will be needed once the measures proposed therein are implemented? If yes, what will be the increase in the permanent establishment and in the estimated expenditure? If not, what are the reasons?

Asked by : Hon. LAU Wai-hing, Emily

Reply :

The Consultation Paper on Improvement Measures of the Voter Registration (VR) System seeks to consult the public on a number of issues related to VR which may involve legislative amendments. The consultation period runs from 16 January to 2 March 2012. Subject to the outcome of the consultation, the Administration will consolidate and consider the views received, and take forward further improvement measures and appropriate legislative amendments in consultation with the Legislative Council. An assessment of the manpower and financial implications of the further measures is not available at the present stage.

Signature _____

Name in block letters _____ **LI PAK HONG**

Post Title _____ **Chief Electoral Officer**

Date _____ **1 March 2012**

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

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 Office has introduced a number of new initiatives under the Matters Requiring Special Attention in 2012-13. These include the enhancement of checking of electors' registered addresses, the conduct of cross-matching exercise with other government departments on electors' particulars and the publicity measures to remind electors to update their addresses if there are any changes. Apparently, these initiatives are introduced in response to the concerns and criticisms expressed by the community over the suspected voting-rigging cases unveiled recently.

The expenditure of the Office this year is 52.5% higher than that of the previous year but this is mainly due to the requirement to conduct two elections (the Chief Executive election and the Legislative Council election) in this year. The establishment of the Office remains the same as the previous year. Save election expenses, there are not much changes in the expenses in other respects.

As such, please advise this Committee:

- (a) whether the workload arising from these important new initiatives will be absorbed by the above establishment;
- (b) if not, what will be the estimated number of staff and establishment required to carry out these new initiatives? What will be the expenditure involved?

Asked by : Hon. LEUNG Kwok-hung

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and

having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;
- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 2011 District Council election, there was quite a number of complaints against vote-rigging. In view of this, will the Registration and Electoral Office step up checks on electors to verify their registered addresses as contained in the existing register? If yes, will the estimated expenditure for the checks be increased accordingly in the 2012-13 financial year? If yes, please provide the relevant figure.

Asked by : Hon. HO Chung-tai, Raymond

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

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- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : For the past 5 financial years, how much did the Registration and Electoral Office spend on checks on the registration particulars of electors with respect to the District Council elections, Legislative Council Geographical elections, Legislative Council Functional Constituency elections and Election Committee Subsector elections? What was the number of cases checked? What were the ratios of such cases to the total numbers of newly registered electors or eligible electors who had reported change of personal particulars? How effective were the checks? Has the Administration set any criteria and target number for making such checks for 2012-13?

Asked by : Hon. HO Chun-yan, Albert

Reply :

The Registration and Electoral Office (REO) conducts the following forms of checking on an on-going basis to ensure the accuracy of the declared addresses in the voter registers:

- (a) the REO will send written enquiries to the applicant to seek further information or proof if there is doubt when processing the application. If the applicant fails to provide the required information or the REO is not satisfied with the information provided, the REO may decide not to consider the application further;
- (b) the REO will send by mail a registration notice to inform the applicant of his registration result after the REO has approved an application. Where the registration notice cannot be delivered because of problems associated with the accuracy or completeness of the registered address, the REO will take follow-up actions such as seeking clarification from the electors concerned;

- (c) since 2009, the use of postal address is not allowed when an applicant applies for registration or when an elector reports change of his residential address, unless there is no postal service available for his residential address. To ascertain whether an address has postal service, the REO will seek confirmation from the Hongkong Post if necessary;
- (d) if a poll card for an election is not successfully delivered to an elector and is returned to the REO, the REO will take follow-up actions such as making telephone calls to the elector concerned to seek clarification and to remind the elector to report change of his residential address before the statutory deadline for reporting change of particulars. If the elector cannot be contacted or does not update his residential address despite the telephone appeal, the REO will send an inquiry letter to the elector by registered post to ascertain whether he still resides in the address recorded in the existing final register (FR). If the elector fails to provide such written confirmation or update his residential address before the deadline specified in the inquiry letter, his name will be put on the omissions list (OL) to be published in the voter registration (VR) cycle;
- (e) the REO examines the FR every year and identifies all the registered addresses with a certain number of electors. Except for justified and verified cases such as elderly homes, the REO will make telephone or written enquiries to the electors concerned requesting them to confirm their address records. If an elector confirms that he has already moved out of the address or the letter issued to him cannot be delivered, the REO will include the elector in the inquiry process in the VR cycle;
- (f) as a standing arrangement with the Immigration Department, the REO matches the addresses of registered electors with addresses of the applicants for the smart identity cards, with the consent of the individuals concerned;
- (g) the REO conducts a cross-matching exercise with the Housing Department, Housing Society and Home Affairs Department every year concerning addresses of registered electors, with the consent of the Privacy Commissioner for Personal Data;
- (h) for newly established private housing estates, the REO will send letters together with VR forms to the new tenants reminding them to update their residential addresses before the statutory deadline; and
- (i) the REO will take appropriate follow-up actions with relevant registered electors after receiving reports from the Rating and Valuation Department on instances of addresses no longer in existence (such as demolished buildings). If the relevant electors do not reply by the specified deadline, their names will be included in the OL to be published in the VR cycle.

2. The work concerning the above checks are undertaken by REO's staff as part of their duties. No separate breakdown of expenditure is available.

3. On paragraph 1(e) above, the REO has checked a total of 2 250 addresses with a certain number of electors, involving around 29 000 electors between 2006 and 2011. In 2012-13, the REO will step up the checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure. Random checks on around 3% to 5% of existing electors will also be performed. Where necessary, the REO will require the electors in an address under checking to provide address proofs. For the other items in paragraph 1, REO conducts the checks wherever necessary and the number of checks depends on the circumstances of individual cases.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : One of the items listed under Matters Requiring Special Attention in 2012-13 is the promotion and conduct of a voter registration exercise. As prisoners are now allowed to vote, will the Registration and Electoral Office promote and conduct the voter registration exercise among serving prisoners? If yes, in what ways will the promotion work and registration exercise be taken forward? If no, what are the reasons?

Asked by : Hon. NG Margaret

Reply :

The Registration and Electoral Office (REO) will continue to work closely with the Correctional Services Department (CSD) to facilitate eligible prisoners to register as electors or imprisoned electors to update their registered particulars. With the assistance of CSD, notices and publicity posters will be displayed at prominent places inside penal institutions to encourage eligible prisoners to register as electors before the statutory deadline. Eligible prisoners can obtain the voter registration forms through CSD officers and send the completed forms to the REO by post.

Signature _____

Name in block letters _____ **LI PAK HONG**

Post Title _____ **Chief Electoral Officer**

Date _____ **1 March 2012**

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

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 : One of the matters requiring special attention in 2012-13 is the adoption of additional publicity measures to remind electors to update their addresses with the Registration and Electoral Office (REO) if there are any changes. Would the REO please inform this Committee of its specific work plans as well as the manpower and resources involved?

Asked by : Hon. NG Margaret

Reply :

A total amount of \$36 million has been earmarked for the 2012 Voter Registration Campaign. It will cover the promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses.

Signature _____

Name in block letters _____ **LI PAK HONG**

Post Title _____ **Chief Electoral Officer**

Date _____ **1 March 2012**

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

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 : One of the matters requiring special attention in 2012-13 is the conduct of cross-matching exercise with other government departments on electors' registration particulars. In this connection, please provide the specific details of this exercise, including the government departments with which the exercise will be conducted and the procedures involved.

Asked by : Hon. NG Margaret

Reply :

Currently, the Registration and Electoral Office (REO) conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : (a) How many complaints and reports have been received by the Registration and Electoral Office (REO) in respect of the 2011 District Council election? Please list the reports by category, showing in particular the number of suspected "vote-rigging" cases.

(b) How many complaints and reports have been handled by the REO to date? Please give an account of the progress in detail.

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

As at 13 February 2012, the Electoral Affairs Commission (EAC) has received a total of 1 537 complaints in respect of the 2011 District Council election. The breakdown of these complaints by nature and the progress of investigation of complaints are summarized below:

Nature		Progress			Total no. of cases received
		Action completed and cases closed	Referral made to other relevant parties for follow-up action	Investigation underway	
1	Election advertisements/ electioneering activities	470	45	158	673
2	Eligibility to vote/to be nominated as a candidate	37	0	30	67

3	False registration	14	10	86	110
4	Polling/counting arrangements	82	1	51	134
5	Election-related corrupt and illegal conducts	66	55	47	168
6	Personal data privacy	37	47	36	120
7	Election expenses	7	0	12	19
8	Exit polls	4	0	6	10
9	Performance of Returning Officer/ polling staff	23	1	63	87
10	Unfair and unequal treatment by the media	2	0	19	21
11	Others	62	10	56	128
Total		804	169	564	1 537

2. After the 2011 District Council election, the EAC and the Registration and Electoral Office (REO) have handled/are handling a number of complaints in respect of suspected false residential addresses of electors. As at 15 February 2012, these complaints involve around 9 300 electors. No follow-up action is required for around 2 300 electors because there is no prima facie irregularity, or the complainant did not provide sufficient information for follow-up. The REO has sent letters to more than 4 700 electors requesting them to provide address proofs. If they do not respond or provide address proof before the specified deadline, they will be referred to the law enforcement agencies for follow-up, and they will be removed from the next voter register after the statutory inquiry process. The REO has already sent letters to the remaining 2 300 electors in February.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 : According to its internal guideline, the Registration and Electoral Office (REO) will follow up cases in which there are seven or more registered voters for a particular address. Up to now, how many addresses for which seven or more voters have been registered in the electoral register? How many cases has the REO followed up and among which how many involves suspected irregularities?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

According to the 2011 Final Register of Electors, there are about 2 100 registered addresses with seven or more electors. The Registration and Electoral Office (REO) has been conducting checks on registered addresses with more than a certain number of electors since 2006. Up to end 2011, REO had checked 2 250 registered addresses. Except for justified and verified cases such as elderly homes, the REO made telephone or written enquiries to the electors concerned requesting them to confirm their address records. According to the checking result, the REO did not identify any false declaration of the address. However, if an elector confirmed that he had already moved out of the address or the letter issued to him could not be delivered, the REO would include the elector on the omissions list in the voter registration cycle after the statutory inquiry process.

2. To address recent public concern about the matter, the REO has conducted a comprehensive exercise to check all these addresses since January 2012. Letters have been issued to require the electors concerned to provide address proof. REO will take follow-up action in the light of the replies received.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 : (a) Regarding the improvement measures of the voter registration system, what are the resources and manpower to be allocated to update the registers of electors and enhance the checking of the current register?

(b) Will the Administration allocate the above resources and manpower before the Legislative Council election is held in September this year? If not, what are the reasons?

Asked by : Hon. IP Kwok-him

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : (a) The Constitutional and Mainland Affairs Bureau is planning to improve the voter registration system. Has the Registration and Electoral Office earmarked provision for the implementation of the improvement measures? If yes, please provide the details and a breakdown of the estimated expenditure? If not, what are the reasons?
- (b) In 2012-13, the Registration and Electoral Office will undertake the promotion and conduct of a voter registration exercise, including voter registration for the District Council (second) functional constituency, to prepare for the 2012 Legislative Council election. In this connection, please advise on the details of the tasks and a breakdown of the expenditure involved.

Asked by : Hon. LAM Tai-fai

Reply :

The Consultation Paper on Improvement Measures of the Voter Registration (VR) System seeks to consult the public on a number of issues related to VR which may involve legislative amendments. The consultation period runs from 16 January to 2 March 2012. Subject to the outcome of the consultation, the Administration will consolidate and consider the views received, and take forward further improvement measures and appropriate legislative amendments in consultation with the Legislative Council. An assessment of the manpower and financial implications of the further measures is not available at the present stage.

2. A total amount of \$36 million has been earmarked for the 2012 VR Campaign. It will cover the promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 Matters Requiring Special Attention in 2012-13, it is mentioned that the Bureau will support the “enhancement of checking of electors in the current register in respect of their registered addresses”. Please provide details of this, including the expenditure involved and staffing arrangements.

Asked by : Hon. LEUNG Yiu-chung

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 provision for 2012-13 is \$208.5 million (52.5%) higher than the revised estimate for 2011-12. According to the Registration and Electoral Office, this is mainly due to increased requirements for the conduct of the 2012 Legislative Council election. Please list the areas of expenditure of the increased estimate, including hiring of venues, equipments and materials, transportation fees, publicity expenses, manpower involved, etc.

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The provision for 2012-13 is \$208.5 million (52.5%) higher than the revised estimate for 2011-12. As set out in the printed Estimate, this is mainly due to increased requirement for the conduct of the 2012 Legislative Council election, partly offset by the reduction in requirements for the 2011 District Council election, the 2011 Election Committee subsector elections and the 2012 Chief Executive election.

2. The provision for the 2012 Legislative Council election is \$503 million with breakdown as below -

	\$ Million
(a) Staff Cost	106
(b) Publicity	40
(c) Other Expenses (including the costs for public consultation on electoral guidelines, hire of venue, honorarium for polling and counting staff, financial assistance for candidates, transportation, postage, free mailing, printing, contingency arrangements, etc.)	357
<hr/>	
Total	503

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 view of the fact that there was a number of suspected vote-rigging cases in the 2011 District Council election, what are the new initiatives against vote-rigging in the Registration and Electoral Office's work in 2012-13? How much of the expenditure for 2012-13 will be spent on preventing and combating vote-rigging? What is the manpower involved?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 enhancement of checking of electors in the current register in respect of their registered addresses” mentioned under Matters Requiring Special Attention in 2012-13, please provide details on:

- (a) the checking, including the number of random sampling checks to be conducted, the basis on which the number is set, the percentage of electors to be checked to the total number of registered electors, the timeframe of the checking as well as the manpower and expenditure involved;
- (b) the cross-matching exercise conducted with other government departments on electors’ registration particulars, including the government departments, manpower, time and expenditure involved. Did the Administration assess whether the exercise would constitute privacy contravention?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;
- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12

and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : (a) Regarding “the promotion and conduct of a voter registration exercise” in 2012-13, what are the specific plans and expenditure involved?
- (b) Regarding “the enhancement of checking of electors in the current register in respect of their registered addresses” in 2012-13, what are the specific plans? Will there be any specific indicators for the related work? What is the expenditure involved?
- (c) The Registration and Electoral Office’s provision for 2012-13 is \$208.5 million (52.5%) higher than the revised estimate for 2011-12. How much out of the increased amount are the expenditures involved in the preparation for and conduct of the 2012 Chief Executive election and the 2012 Legislative Council election?

Asked by : Hon. TAM Yiu-chung

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;
- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12

and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

4. The provisions in 2012-13 for the 2012 Chief Executive election and the 2012 Legislative Council election are about \$16 million and \$503 million respectively.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 updating of the registers of electors and the enhancement of cross-matching exercise on electors' registration particulars in the current register by the Registration and Electoral Office in 2012-13, would the Government please advise of the distribution of the estimated expenditure, the number of staff to be recruited and the estimated expenditure involved in each cross-matching case?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 2011-12, how much resources were allocated for voter registration?
What were the details and expenditure involved?

Asked by : Hon. CHAN Tanya

Reply :

The 2011 Voter Registration (VR) Campaign for new registration lasted from 10 June to 16 July 2011, while the publicity to remind registered electors to update their registered particulars with the Registration and Electoral Office (REO) lasted until 29 August 2011. The REO implemented, with the assistance of other government departments as necessary, the following measures -

- (a) launching a series of publicity measures, including television and radio Announcements in the Public Interests, mini-concerts, radio programmes, placement of advertisements in newspapers, at major MTR stations and on public transport vehicle bodies, display of posters, lamppost buntings and banners, placement of advertisements through new media such as Facebook and setting up a dedicated website for VR;
- (b) setting up registration counters at the five Registration of Persons Offices of the Immigration Department, higher education institutions and locations with heavy pedestrian flow to appeal to eligible persons to register as electors/voters and registered electors to update their registered particulars with REO;
- (c) sending voter registration forms to various institutions and organisations, including government departments, banks, universities, higher education institutions, youth and elderly centres to facilitate interested and eligible persons to register;

- (d) sending appeal letters and notification letters to encourage and facilitate eligible persons to register as electors/voters in functional constituencies (FCs)/Election Committee subsectors (ECSSs);
- (e) appealing to umbrella organisations to encourage their members who are eligible electors/voters in FCs/ECSSs to register; and
- (f) sending appeal letters to households which have recently moved into new private residential buildings to remind them to report change of address to REO.

2. The revised estimate of expenditure for the 2011 VR Campaign in 2011-12 is \$28 million including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 : How much resources has the Registration and Electoral Office allocated for the two District Council by-elections in 2011-12? What are the details and expenditures involved?

Asked by : Hon. CHAN Tanya

Reply :

The expenditure incurred for the conduct of two District Council by-elections is around \$1 million including expenditure for hire of venue, honorarium for polling and counting staff, financial assistance for candidates, transportation, postage, free mailing, printing, etc.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : What is the amount of resources allocated by the Office to the 2012 Chief Executive election? What are the details and the expenditure involved?

Asked by : Hon. CHAN Tanya

Reply :

The provision for the 2012 Chief Executive election is about \$42 million with a breakdown as follows –

	\$ Million
(a) Staff Cost	7
(b) Publicity	2
(c) Other Expenses (including the costs for hire of venue, honorarium for polling and counting staff, transportation, postage, free mailing, printing, contingency arrangements, etc.)	33
<hr/> Total	<hr/> 42

2. The expenditure will mainly be incurred in 2011-12.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012

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

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 Registration and Electoral Office states that it will, in 2012-13, update the registers of electors and enhance the checking of electors in the current register in respect of their registered addresses. What are the details and estimated expenditure of the work?

Asked by : Hon. CHAN Tanya

Reply :

To address the recent public concern about the accuracy of the residential addresses recorded in the register of electors, the Administration conducted a review of the existing voter registration (VR) system at the end of 2011. Based on the review and having considered the views of Legislative Council (LegCo) Members, the Administration is conducting a public consultation from 16 January to 2 March 2012 on a number of issues related to VR, which are fundamental and involve legislative amendments. In the meantime, with effect from 1 January 2012, the Registration and Electoral Office (REO) has put in place the following immediate measures to improve the existing VR system:

- (a) enhanced existing checking performed by the REO. The enhanced checking includes stepping up the follow-up checks on undelivered poll cards for the 2011 District Council election by sending inquiry letters to the electors concerned to ask for address proof; stepping up the existing checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure; and implementing random checks on around 3% to 5% of existing electors within the 2012 VR cycle;

- (b) enhanced publicity measures. REO has sent letters to all registered electors to inform them of the VR arrangement for the new District Council (second) functional constituency. The letters also appeal to electors to update their residential addresses if there has been any change. This is complemented by other publicity measures such as Announcements in the Public Interests and newspaper advertisements. During the 2012 VR Campaign, the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses will also be strengthened;
- (c) additional checks on the lists of demolished buildings and buildings to be demolished. The REO has liaised with the Buildings Department and the Rating and Valuation Department to conduct checks on the list of buildings which have been demolished recently and buildings which will be demolished soon. This will help identify electors who may not have reported change of addresses; and
- (d) enhanced cross-matching. Currently, the REO conducts cross-matching of information of electors with a number of departments (including the Immigration Department, the Housing Department, the Housing Society and the Home Affairs Department). The REO will conduct a full-scale data matching exercise with the Housing Department and the Housing Society to verify the accuracy of the registered addresses of registered electors who are residing in the housing estates under the management of these public authorities. The REO is also exploring the technical feasibility and usefulness of expanding the cross-matching work with more departments. Any cross-matching to be conducted by the REO will comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486) and the Privacy Commissioner for Personal Data will be consulted.

2. To meet the workload arising from paragraph 1(a), (c) and (d) above, the REO has set up a team of 79 staff through redeployment within the Administration and REO. The team includes 1 Senior Executive Officer, 3 Executive Officers I, 1 Executive Officer II, 4 Clerical Officers, 28 Assistant Clerical Officers, 26 non-civil service contract staff and 16 agency workers. The team will continue to operate in 2012-13. Other related expenses will be met by REO's existing provision in 2011-12 and 2012-13. The REO will review the actual workload involved after this year's VR cycle.

3. Regarding the work in paragraph 1(b), the required expenditure for issuing the letters to all registered electors and the related publicity will be met by the allocation in 2011-12. A total amount of \$36 million has been earmarked for the 2012 VR Campaign, including promotion and publicity expenses and other operating expenses for processing the registration forms received and for compiling and publishing the provisional and final registers. The departments concerned are working on the detailed publicity activities. We will take the opportunity to strengthen the message on the importance for new registration to provide accurate information and for registered electors to update their residential addresses as part of the 2012 VR publicity campaign.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 advise us of the amount of resources deployed by the Office to carry out the checking of electors in the current register in respect of their registered addresses in each of the past five years, the details of the checking work and the estimated expenditure involved.

Asked by : Hon. CHAN Tanya

Reply :

The Registration and Electoral Office (REO) conducts the following forms of checking on an on-going basis to ensure the accuracy of the declared addresses in the voter registers:

- (a) the REO will send written enquiries to the applicant to seek further information or proof if there is doubt when processing the application. If the applicant fails to provide the required information or the REO is not satisfied with the information provided, the REO may decide not to consider the application further;
- (b) the REO will send by mail a registration notice to inform the applicant of his registration result after the REO has approved an application. Where the registration notice cannot be delivered because of problems associated with the accuracy or completeness of the registered address, the REO will take follow-up actions such as seeking clarification from the electors concerned;
- (c) since 2009, the use of postal address is not allowed when an applicant applies for registration or when an elector reports change of his residential address, unless there is no postal service available for his residential address. To ascertain whether an address has postal service, the REO will seek confirmation from the Hongkong Post if necessary;

- (d) if a poll card for an election is not successfully delivered to an elector and is returned to the REO, the REO will take follow-up actions such as making telephone calls to the elector concerned to seek clarification and to remind the elector to report change of his residential address before the statutory deadline for reporting change of particulars. If the elector cannot be contacted or does not update his residential address despite the telephone appeal, the REO will send an inquiry letter to the elector by registered post to ascertain whether he still resides in the address recorded in the existing final register (FR). If the elector fails to provide such written confirmation or update his residential address before the deadline specified in the inquiry letter, his name will be put on the omissions list (OL) to be published in the voter registration (VR) cycle;
- (e) the REO examines the FR every year and identifies all the registered addresses with a certain number of electors. Except for justified and verified cases such as elderly homes, the REO will make telephone or written enquiries to the electors concerned requesting them to confirm their address records. If an elector confirms that he has already moved out of the address or the letter issued to him cannot be delivered, the REO will include the elector in the inquiry process in the VR cycle;
- (f) as a standing arrangement with the Immigration Department, the REO matches the addresses of registered electors with addresses of the applicants for the smart identity cards, with the consent of the individuals concerned;
- (g) the REO conducts a cross-matching exercise with the Housing Department, Housing Society and Home Affairs Department every year concerning addresses of registered electors, with the consent of the Privacy Commissioner for Personal Data;
- (h) for newly established private housing estates, the REO will send letters together with VR forms to the new tenants reminding them to update their residential addresses before the statutory deadline; and
- (i) the REO will take appropriate follow-up actions with relevant registered electors after receiving reports from the Rating and Valuation Department on instances of addresses no longer in existence (such as demolished buildings). If the relevant electors do not reply by the specified deadline, their names will be included in the OL to be published in the VR cycle.

2. The work concerning the above checks are undertaken by REO's staff as part of their duties. No separate breakdown of expenditure is available.

3. On paragraph 1(e) above, the REO has checked a total of 2 250 addresses with a certain number of electors, involving around 29 000 electors between 2006 and 2011. In 2012-13, the REO will step up the checking based on additional parameters, such as when the number of surnames of electors in an address exceeds a certain figure. Random checks on around 3% to 5% of existing electors will also be performed. Where necessary, the REO will require the electors in an address under checking to provide address proofs. For the other items in paragraph 1, REO conducts the checks wherever necessary and the number of checks depends on the circumstances of individual cases.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : Will the Administration consider allowing the disabled or the mobility-handicapped to vote by post? What are the expenditures involved?

Asked by : Hon. CHAN Tanya

Reply :

Postal voting has been explored but is not considered further mainly due to preservation of voter secrecy. To ensure fairness and integrity of the election, electors have to cast their votes at the designated polling station in person.

2. To facilitate persons with disability to cast their votes at polling stations, it has been the objective of the Registration and Electoral Office (REO) to identify and use barrier-free venues as polling stations. Where situation permits, REO will arrange installation of temporary ramps at polling stations without barrier-free facilities for electors who are wheelchair users. In the 2011 District Council election, over 90% of the polling stations were situated in barrier-free venues. Electors with disability whose designated polling stations are not suitable for use by such persons may apply to REO five days before the polling day to vote at a barrier-free polling station close to their residence. Free Rehabus service would also be arranged if circumstances permit. Braille templates are available at the polling stations for electors who are visually impaired. Pictorial guides are available at the polling stations for electors with hearing problems.

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : (a) Will the Administration allocate resources to review the existing voter registration system in order to allow residents without fixed residential addresses, such as street sleepers, to register as voters? What are the estimated expenditures?

(b) Will the Administration update the voter registers more frequently? What are the expenditures involved?

Asked by : Hon. CHAN Tanya

Reply :

(a) According to the existing legislation, the eligibility for registration as an elector requires the provision of a residential address that is the applicant's only or principal residence in Hong Kong. The Administration will keep in view the situation regarding the registration of street sleepers as electors.

(b) The procedures on updating the registers of electors are governed by the electoral legislation. They provide arrangements for the registers to be updated at an appropriate time in a registration cycle. The Registration and Electoral Office (REO) will continue to update and publish the registers accordingly. The REO is also taking measures to help ensure that the registered addresses in the registers are kept up-to-date (such as enhancing checks based on additional parameters, strengthening publicity measures and enhancing cross-matching of information with other departments).

Signature _____

Name in block letters _____ LI PAK HONG

Post Title _____ Chief Electoral Officer

Date _____ 1 March 2012

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

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 : Will the Administration deploy resources to review the election return system in order to take some measures, such as introducing electronic means for the submission of returns, to streamline the procedures? What are the estimated expenditures?

Asked by : Hon. CHAN Tanya

Reply :

As a regular exercise before general/ordinary elections, the Registration and Electoral Office (REO) will review the practical electoral arrangements so that they can be streamlined and improved in the light of past experience. For the 2012 Legislative Council election, after a review of the arrangements concerning election returns, de minimis arrangements for handling election returns with minor errors or omissions have been put in place as a result of the passage of the Electoral Legislation (Miscellaneous Amendments) Bill 2011 in July 2011. The arrangements allow candidates to rectify their election returns within a specified period.

2. Furthermore, the Administration has made proposed amendments to the requirement on declaration and submission of election advertisements with a view to assisting candidates in conducting electioneering activities and to simplifying the procedures for handling election advertisements. They would allow candidates to post their election advertisements onto a central portal maintained by the REO or their websites for public inspection. The proposed amendments have been incorporated in the Electoral Legislation (Miscellaneous Amendments) Bill 2012.

3. The work mentioned above is handled as part of the work of the staff of the REO.

Signature _____

Name in block letters LI PAK HONG

Post Title Chief Electoral Officer

Date 1 March 2012